SENATE—*Friday, October 8, 1999*

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

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, all power and authority belongs to You. You hold the universe in Your hands and focus Your attention on the planet Earth. We humble ourselves before You, for You alone are Lord of all nations, and You have called our Nation to be a leader in the family of nations. By Your providence, You have brought to this Senate the men and women through whom You can rule wisely in soul-sized matters that affect the destiny of humankind. With awe and wonder at Your trust in them, the Senators enter executive session today to confront the issues of the Comprehensive Nuclear Test-Ban Treaty.

Grip their minds with three great assurances to sustain them especially today and next Tuesday: You are Sovereign of this land, and they are accountable to You; You are able to guide their thinking, speaking, and decisions if they will but ask You; and You will bring unity so that they may lead our Nation in its strategies of defense, and the world in its shared obligation to use nuclear power for creative and not destructive purposes.

O God of peace, hear our prayer, for You are our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE DEWINE, a Senator from the State of Ohio, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. DEWINE). The acting majority leader is recognized.

SCHEDULE

Mr. KYL. Mr. President, today the Senate will begin consideration of the Comprehensive Nuclear Test-Ban Treaty with debate taking place throughout the day. Debate time is limited to 14 hours and will resume at 9:30 a.m. on Tuesday, October 12. I encourage my colleagues to come to the floor to discuss this important issue.

As a reminder, cloture was filed on the conference report to accompany the Agriculture appropriations bill on Thursday, and by previous consent the Senate will proceed to that cloture vote on Tuesday at 5:30 p.m. It is hoped that the vote regarding the treaty can be stacked to follow the 5:30 vote.

I thank my colleagues for their attention.

PRIVILEGE OF THE FLOOR

Mr. KYL. Mr. President, I ask unanimous consent that Brad Sweet, staff assistant on the Government Affairs Subcommittee on International Security, Proliferation, and Federal Services be given floor privileges during consideration of the Comprehensive Nuclear Test-Ban Treaty.

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

Mr. KYL. Mr. President, the Chairman of the Senate Foreign Relations Committee, Senator HELMS, has asked that I manage the time until he is able to arrive, and in that regard I would like to make an opening statement.

EXECUTIVE SESSION

COMPREHENSIVE NUCLEAR TEST-BAN TREATY

The PRESIDING OFFICER. The clerk will report the resolution of ratification.

The legislative clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein),

That the Senate advise and consent to the ratification of the Comprehensive Nuclear Test-Ban Treaty, opened for signature and signed by the United States at New York on September 24, 1996, including the following annexes and associated documents, all such documents being integral parts of and collectively referred to in this resolution as ''Treaty'', (contained in Senate Treaty Document 105–28):

(1) Annex 1 to the Treaty entitled ''List of States Pursuant to Article II, Paragraph 28'';

(2) Annex 2 to the Treaty entitled ''List of States Pursuant to Article XIV''.

(3) Protocol to the Comprehensive Nuclear Test-Ban Treaty.

(4) Annex 1 to the Protocol.

(5) Annex 2 to the Protocol.

Mr. KYL. Mr. President, let me just pose one unanimous-consent request before we begin. To the extent that it is possible with respect to people in the Chamber ready to make statements, I ask unanimous consent that the debate on the proposition be divided in a way that proponents and opponents speak in opposition to each other, one following the other.

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

The Senator from Arizona.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. It has been raised whether or not that is a good idea. As I understand the unanimous-consent request, it is to the extent possible we will try to alternate between Democrat and Republican, opponents and proponents. That is the same as saying, with one exception, for and against. I do not expect that to mean that we would not engage each other in colloquy and debate so we don't just have statement after statement.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. That is precisely why I framed it the way I did.

Mr. DORGAN. Reserving the right to object——

Mr. KYL. It would not be appropriate to say Republican and Democrat, since I know Senator SPECTER would like to speak not in opposition.

Mr. DORGAN. Mr. President, reserving the right to object, I hope the Senator would not put forth any unanimous-consent request. I hope we would simply have an agreement among the two leaders in the Chamber that they will alternate back and forth. The difficulty with a unanimous-consent agreement is you may get a circumstance where you have no one on one side and three or four speakers on the other side.

I think it is practical to manage it the way the Senator has suggested.

Mr. KYL. With the understanding that Senator BIDEN and I just reached, and the Senator just articulated, I withdraw the request, and I assume we can proceed in that fashion.

Mr. President, I rise today to explain why I strongly oppose the Comprehensive Test Ban Treaty that has been submitted to the Senate for its advice and consent.

I think the words of six distinguished Americans who formerly bore the responsibility for safeguarding our nation's security as Secretary of Defense frame the issue before the Senate quite well. In a letter to the majority leader this week, James Schlesinger, Dick Cheney, Frank Carlucci, Caspar Weinberger, Donald Rumsfeld, and Melvin Laird who served as Secretaries of Defense in the Reagan, Bush, Ford, and Nixon administrations, stated:

As the Senate weighs whether to approve the Comprehensive Test Ban Treaty (CTBT), we believe Senators will be obliged to focus on one dominant, inescapable result were it to be ratified: over the decades ahead, confidence in the reliability of our nuclear weapons stockpile would inevitably decline,

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

thereby reducing the credibility of America's nuclear deterrent.

For this reason, these former Secretaries of Defense conclude that the CTBT is ''incompatible with the Nation's international commitments and vital security interests . . . Accordingly, we respectfully urge you and your colleagues to preserve the right of this nation to conduct nuclear tests necessary to the future viability of our nuclear deterrent by rejecting approval of the present CTBT.''

I couldn't agree more with the considered judgment of these distinguished Americans who have had the awesome responsibility of maintaining the U.S. nuclear deterrent throughout the cold war and beyond.

Before discussing some of the flaws of the CTBT and how it will undermine the credibility of our nuclear deterrent, a few words on the importance of nuclear deterrence, and the limits of arms control I think are in order.

As my colleagues recall, during the cold war, the Soviet Union enjoyed a tremendous advantage in conventional military forces in Europe. The United States was able to offset this advantage in conventional forces, and to guarantee the security of Western Europe until the cold war ended peacefully, through the maintenance of a credible nuclear deterrent. Our nuclear ''umbrella,'' as it is called, was extended to our allies in other parts of the world as well.

Since the end of the cold war, some have argued that nuclear deterrence is an outdated concept, and the U.S. no longer needs to retain a substantial nuclear weapons capability. However, deterrence is not a product of the cold war and has been around since the beginning of diplomacy and war. Over 2,500 years ago, the Chinese philosopher Sun Tzu wrote about the value of deterrence stating, ''To win one hundred victories in one hundred battles is not the acme of skill. To subdue the enemy without fighting is the acme of skill.''

Furthermore, the end of the cold war does not mean national security threats to the United States have evaporated. James Woolsey, President Clinton's first Director of Central Intelligence, aptly described the current security environment when he said, ''We have slain a large dragon [the Soviet Union]. But we live now in a jungle filled with a bewildering variety of poisonous snakes.''

Rogue nations like North Korea, Iran, and Iraq have weapons of mass destruction programs and are hostile to the United States. China is an emerging power whose relationship with the United States has been rocky at best. And Russia retains significant military capabilities, including over 6,000 strategic nuclear warheads.

The gulf war is an excellent case study of the continuing importance of nuclear deterrence in the post-cold-war world. In that conflict, the maintenance of a credible nuclear weapons capability, coupled with the understanding that it was possible that the United States would respond with nuclear weapons if attacked with other weapons of mass destruction, saved lives by deterring such an attack.

As my colleagues recall, Iraq possessed a large arsenal of chemical weapons that it had used against its Kurdish population, and against Iranian troops during the Iran-Iraq war in the 1980s. It is widely acknowledged that Iraq did not use chemical weapons against the United States-led coalition during the gulf war because we possessed a credible nuclear deterrent.

Prior to the start of the gulf war, U.S. leaders practiced the art of deterrence by issuing clear warnings to Saddam Hussein. Secretary of Defense Dick Cheney stated:

> He [Saddam Hussein] needs to be made aware that the President will have available the full spectrum of capabilities. And were Saddam Hussein foolish enough to use weapons of mass destruction, the U.S. response would be absolutely overwhelming and it would be devastating. He has to take that into consideration, it seems to me, before he embarks upon a course of using those kinds of capabilities.

President Bush also sent a strongly worded message to Saddam Hussein which said:

> Let me state, too, that the United States will not tolerate the use of chemical or biological weapons. . . . The American people would demand the strongest possible response. You and your country will pay a terrible price if you order unconscionable acts of this sort.

Iraqi officials have confirmed that these statements deterred Baghdad from using chemical and biological weapons. In 1995, Foreign Minister Tariq Aziz reported to Rolf Ekeus, chairman of the U.N. commission charged with inspecting Iraqi weapons of mass destruction facilities, that Iraq was deterred from using its arsenal of chemical and biological weapons because the Iraqi leadership had interpreted Washington's threats of devastating retaliation as meaning nuclear retaliation.

Aziz's explanation is corroborated by a senior defector, General Wafic Al Sammarai, former head of Iraqi military intelligence, who stated:

> Some of the Scud missiles were loaded with chemical warheads, but they were not used. We didn't use them because the other side had a deterrent force. I do not think Saddam was capable of taking a decision to use chemical weapons or biological weapons, or any other type of weapons against the allied troops, because the warning was quite severe, and quite effective. The allied troops were certain to use nuclear arms and the price will be too dear and too high.

Mr. President, as these statements show, a credible nuclear deterrent remains vitally important to our nation. I would hope that we could begin this debate on the CTBT by agreeing that a strong U.S. nuclear deterrent remains essential and that the Senate should reject any actions that would undermine the credibility of this deterrent.

To the second preliminary point, the fallacy of arms control:

Unfortunately, the CTBT negotiated by the Clinton administration would do just that. This is not surprising since the Clinton administration has sought to protect our national security with a fixation on arms control that columnist Charles Krauthammer aptly calls ''Peace through Paper.''

Of course, arms control is not a new idea. After all, in the year 1139, the Roman Catholic Church tried to ban the crossbow. Like so many other well-intentioned arms control measures, this one was doomed to failure from the start.

And who can forget the Kellog-Briand treaty, ratified by the United States in 1929, that outlawed war as an instrument of national policy. This agreement and others spawned in its wake left the United States and Britain unprepared to fight and unable to deter World War II.

Yet despite these and many other notable failures, the Clinton administration still looks to arms control as the best way to safeguard our security. Under Secretary of State John Holum explained this philosophy during a speech in 1994, stating.

> The Clinton Administration's policy aims to protect us first and foremost through arms control—by working hard to prevent new threats—and second, by legally pursuing the development of theater defenses for those cases where arms control is not yet successful.

The administration continues to cling tenaciously to the ABM Treaty, which prevents us from defending ourselves against missile attack, and numerous other arms control measures have been proposed by senior officials like Secretary of State Madeleine Albright, such as bans of shoulder-fired surface-to-air missiles, laser weapons, anti-satellite weapons, landmines, and even a proposal to limit the availability of assault rifles.

As George Will has said of the administration's arms control philosophy, ''The designation 'superstition' fits because the faith of believers in arms control is more than impervious to evidence, their faith is strengthened even by evidence that actually refutes it.''

There is enduring wisdom in President Reagan's statement of ''Peace through strength.''

In 1780, our Nation's first President, George Washington said, ''There is nothing so likely to produce peace as to be well prepared to meet an enemy.'' Two hundred years later another President, Ronald Reagan, called this doctrine ''Peace Through Strength.''

I urge Senators to think about the enduring wisdom of these statements in the coming days as we debate the

Comprehensive Test Ban Treaty and the negative effects its ratification would have on our Nation's security.

Let me turn now to a discussion of the CTBT's many flaws.

America's nuclear weapons are the most sophisticated in the world. This was the point of the letter of the former Secretaries of Defense. They pointed out that each one typically has thousands of parts, and over time in nuclear materials and high-explosive triggers in our weapons deteriorate, and we lack the experience predicting the effect of these changes.

Some of the materials used in our weapons, like plutonium, enriched uranium, and tritium, are radioactive materials that decay, and as they decay they also change the properties of other materials within the weapon. We lack experience predicting the effects of such aging on the safety and reliability of our weapons.

We did not design our weapons to last forever. The shelf life of our weapons was expected to be about 20 years. In the past, we did not encounter problems with aging weapons, because we were fielding new designs and older designs were retired. But under the CTBT, we could not field new designs to replace older weapons, because testing would be required to develop new designs.

Remanufacturing components of existing weapons that have deteriorated also poses significant problems. Over time, manufacturing processes will change, some chemicals previously used in the production of our weapons have been banned by environmental regulations, and our documentation of the technical characteristics of older weapons, in some cases, is incomplete. Furthermore, as James Schlesinger—who formerly served as Secretary of defense and Secretary of Energy—has testified to the Senate, the plutonium pits in some of our weapons are approaching the end of this life-span. According to Dr. Schlesinger, one of our national laboratories estimates the pits used in some of our weapons will last 35 years. Since many of the pits used in the current arsenal are about 30 years old, this means that we will soon need to replace these pits. But without testing, we will never know if these replacement parts will work as their predecessors did.

As the former Director of the Lawrence Livermore National Laboratory, Dr. John Nuckolls said last month in a letter to me:

> Key components of nuclear warheads are ''aging'' by radioactive decay and chemical decomposition and corrosion. Periodic remanufacture is necessary, but may copy existing defects and introduce additional defects. Some of the remanufactured parts may differ significantly from the original parts—due to loss of nuclear test validated personnel who manufactured the original parts, the use of new material and fabrication processes, and inadequate specification of original parts. There are significant risks of reducing stockpile reliability when remanufactured parts are involved in warhead processes where there are major gaps in our scientific understanding.

The fact is that, despite our technical expertise, there is much we still do not understand about our own nuclear weapons. As C. Paul Robinson, Director of the Sandia National Laboratory has aid, ''some aspects of nuclear explosive design are still not understood at the level of physical principles.''

These gaps in our knowledge do not merely present a theoretical problem. As President Bush noted in a report to Congress in January 1993, ''Of all U.S. nuclear weapons designs fielded since 1958, approximately one-third have required nuclear testing to resolve problems arising after deployment.''

Furthermore, in 1987, Lawrence Livermore Lab produced a report titled ''Report to Congress on Stockpile Reliability, Weapon Remanufacture, and the Role of Nuclear Testing'' in which it extolled the importance of testing, noting that ''. . . there is no such thing as a 'thoroughly tested' nuclear weapon.'' The report also goes on to state that of the one-third of weapons designs introduced into the stockpile since 1958 that have required testing to fix, ''In three-fourths of these cases, the problems were discovered only because of the ongoing nuclear testing.'' This report went on to say that ''Because we frequently have difficulty understanding fully the effects of changes particularly seemingly small changes on the nuclear performance, nuclear testing has been required to maintain the proper functioning of our nation's deterrent.''

Secretary of Defense Caspar Weinberger summed this point up nicely in 1986 when he said:

> The irreducible fact is that nuclear testing is essential to providing for the safety and security of our warheads and weapons systems. It also is essential if we are to maintain their reliability. This is not a matter of conjecture, but a lesson learned through hard experience. For example, in the case of one nuclear system—the warhead for the Polaris [SLBM]—testing allowed us to fix defects that were suddenly discovered. Until corrected, these defects could have rendered the vast majority of weapons in our sea-based deterrent completely inoperable.

The importance of testing to the maintenance of any complex weapon or machine cannot be underestimated. As the six former Secretaries of Defense noted in this letter opposing the CTBT,

> The history of maintaining complex military hardware without testing demonstrates the pitfalls of such an approach. Prior to World War II, the Navy's torpedoes had not been adequately tested because of insufficient funds. It took nearly two years of war before we fully solved the problems that caused our torpedoes to routinely pass harmlessly under the target or to fail to explode on contact. For example, at the Battle of Midway, the U.S. launched 47 torpedo aircraft, without damaging a single Japanese ship. If not for our dive bombers, the U.S. would have lost the crucial naval battle of the Pacific war.

The Clinton administration has proposed a program that it hopes will replace actual nuclear tests with computer simulations and a much greater emphasis on science-based experiments. It is called the Stockpile Stewardship Program. According to the Fiscal Year 2000 Stockpile Stewardship Plan Executive Overview, released by the Department of Energy in March this year:

> The overall goal of the Stockpile Stewardship program is to have in place by 2010 . . . the capabilities that are necessary to provide continuing high confidence in the annual certification of the stockpile without the necessity for nuclear testing.

I support the Stockpile Stewardship Program because it will improve our knowledge about our nuclear weapons. But as former Secretary of State Henry Kissinger, former National Security Advisor Brent Scowcroft, and former CIA Director John Deutch said in a letter this week, ''the fact is that the scientific case simply has not been made that, over the long term, the United States can ensure the nuclear stockpile without nuclear testing.''

First, the Stockpile Stewardship Program faces tremendous technical challenges. As the Director of Sandia National Laboratories, Dr. Robinson has said, ''the commercially available and laboratory technologies of today are inadequate for the stockpile stewardship tasks we will face in the future. Another hundred-to-thousand-fold increase in capability from hardware and software combined will be required.''

Dr. Victor Reis, the architect of the stewardship program, said this about it during a speech in Albuquerque:

> Think about it—we are asked to maintain forever, an incredibly complex device, no larger than this podium, filed with exotic, radioactive materials, that must create, albeit briefly, temperatures and pressures only seen in nature at the center of stars; do it without an integrating nuclear test, and without any reduction in extraordinarily high standards of safety and reliability. And, while you're at it downsize the industrial complex that supports this enterprise by a factor of two, and stand up critical new manufacturing processes.
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> This within an industrial system that was structured to turn over new designs every fifteen years, and for which nuclear explosive testing was the major tool for demonstrating success.

Senior officials at the Department of Energy and our nuclear labs are generally careful in how they couch their remarks about the Stockpile Stewardship Program. They typically state that the stewardship program is the best approach to maintaining our weapons in the absence of testing. But they are also careful not to guarantee that, despite the unquestioned brilliance of the scientists, the Stockpile Stewardship Program will succeed in replacing testing.

In fact, the Stockpile Stewardship Program has already experienced setbacks. For example, the National Ignition Facility, which is the linchpin of the program, has recently fallen behind schedule and is over budget. It still faces a critical technical uncertainty about a major goal of its design: will it be able to achieve thermonuclear ignition?

Another problem with relying on computer simulation to replace testing is the increased risk of espionage. Former Lawrence Livermore National Lab Director John Nuckolls made this point in his letter to me as well: ''Espionage is facilitated when U.S. progress is frozen, and classified information is being concentrated and organized in electronic systems.'' In short, in order to achieve the vast increases in computing power required for the stewardship program, much of the computer code required for the program will be written by hundreds of people at participating universities and colleges—in many cases by people who are not even American citizens.

Mr. President, the bottom line is that a credible nuclear deterrent is just too important to put all our eggs in the stewardship basket.

In addition to impairing the reliability of our nuclear arsenal, the CTBT will prevent us from making our nuclear weapons as safe as they can be. This is extraordinarily important.

Nuclear weapon safety has always been a paramount concern of the United States. Throughout the history of our nuclear weapons program, we have made every effort to ensure that even in the most violent of accidents there would be the minimum chance of a nuclear explosion or radioactive contamination. The results of such an accident would be catastrophic.

That's why President Clinton's Secretary of Defense, Bill Cohen, opposed a test moratorium when he was a Senator. During debate on an amendment imposing a moratorium on testing, August 3, 1993, then-Senator Cohen said,

> A vote to halt nuclear testing today is a vote to condemn the American people to live with unsafe nuclear weapons in their midst for years and years—indeed until nuclear weapons are eliminated. Not just a few unsafe nuclear weapons, but a nuclear stockpile in which most of the weapons do not have critical safety features.

I digress a moment to note when he was asked about this statement this week, now-Secretary Cohen said, we have replaced those weapons with weapons in our inventory now that are safe.

I know defense Secretary Cohen would agree, that is not a correct statement. All of the weapons in our current inventory lack one or more of the essential safety features that we have been talking about here.

As the Director of Los Alamos National Lab, Dr. Sig Hecker, indicated in a letter to me in 1997, ''with a CTBT it will not be possible to make some of the potential safety improvements for greater intrinsic warhead safety that we considered during the 1990 time frame.'' The reason is that nuclear tests must be done in many cases to confirm that once new safety features are incorporated, the weapons are reliable and still operate as intended. The CTBT makes it pointless to try to invent new, improved safety features because they could not be adopted without nuclear testing. Even worse, the CTBT eliminates the possibility of improving the safety of current weapons through the incorporation of existing, well understood safety features.

Safety features include items such as insensitive high explosive and fire resistant pits. Insensitive high explosive in the primary of a nuclear weapon is intended to prevent the premature detonation of the high explosive trigger, resulting in a potential nuclear explosion should the weapon be subjected to unexpected stress, like being dropped or penetrated by shrapnel or a bullet. Fire resistant pits are intended to prevent the dispersal of plutonium resulting in radioactive contamination of an area should the weapon be exposed to a fire, such as an accidental blaze during loading of a weapon on an aircraft.

Unfortunately, few people know that many of our current weapons do not contain all the safety features that already have been invented by our National Laboratories. Only one of the nine weapons in the current stockpile incorporates all six available safety features. In fact, three of the weapons in the stockpile—the W78 warhead, which is used on the Minuteman III ICBM, and the W76 and W88 warheads, which sit atop missiles carried aboard Trident submarines—incorporate only one of the six safety features. Another weapon, the W62 warhead, does not have any of the six safety features incorporated into its design.

The bottom line is that a ban on nuclear testing prevents us from making our weapons as safe as we know how to make them and creates a disincentive to making such safety improvements.

Mr. President, another point I think is extraordinarily important as we debate this CTBT is that the purpose of the treaty cannot be achieved by its ratification. In addition to undermining our nuclear deterrent, as I have just spoken to, the treaty will not achieve its goal of halting nuclear proliferation.

Supporters of the treaty say the United States must lead by example, and that by halting nuclear tests ourselves, we will persuade others to follow our example. Yet the history of the last eight years shows this theory is false. Since the United States halted testing in 1992, India, Pakistan, Russia, China, and France have all conducted tests.

Furthermore, the CTBT will not establish a new international norm against nuclear weapons testing or possession. The Nuclear Nonproliferation Treaty, the NPT ratified by 185 countries has already established such a norm. The NPT calls for parties to the treaty, other than the five declared nuclear powers—the United States, the United Kingdom, Russia, China, and France—to pledge not to pursue nuclear weapons programs.

Yet North Korea and Iraq, to name two who are parties to the NPT, have, of course, violated it. They have pursued nuclear weapons programs despite their solemn international pledge never to do so. The CTBT will not add anything useful to the international nonproliferation regime since these nations, in effect, would be pledging not to test the nuclear weapons they have already promised never to have under the NPT. So much for the international norm.

Nor will the CTBT pose a significant impediment to the acquisition of nuclear weapons by rogue nations since, although nuclear testing is essential to maintaining the sophisticated nuclear weapons in the U.S. arsenal today, it is not required to develop relatively simple first-generation nuclear devices, like those needed or being developed by Iran and Iraq. For example, the United States bomb dropped on Hiroshima was never tested, and the Israeli nuclear arsenal has been constructed without testing.

Incidentally, the Clinton administration does not dispute this point. In Senate testimony in 1997, CIA Director George Tenet stated:

> Nuclear testing is not required for the acquisition of a basic nuclear weapons capability (i.e. a bulky, first-generation device with high reliability but low efficiency.) Tests using high-explosive detonations only ([with] no nuclear yield) would provide reasonable confidence in the performance of a first generation device. Nuclear testing becomes critical only when a program moves beyond basic designs to incorporate more advanced concepts.

I believe Director Tenet is absolutely correct, based on the letter of the Secretary of Defense that I quoted earlier. We can't afford to underestimate the weapon described by Director Tenet—a ''bulky, first generation device with high reliability but low efficiency'' is a lot like the bomb we dropped on Hiroshima to change world history. It is a strategic weapon—if North Korea or Iran were able to deploy such a weapon, they could—to put it mildly—severely reduce our ability to protect our interests in East Asia or the Persian Gulf. These are weapons that would be designed to intimidate and kill large numbers of people in cities, not destroy purely military targets, as the United States weapons are designed to do.

Another problem with the CTBT is that it is totally unverifiable. It cannot be verified despite the vast array of expensive sensors and detection technology being established under the

treaty, so it will be possible for other nations to conduct militarily significant nuclear testing with little or no risk of detection. Effective verification requires high confidence that militarily significant cheating will be detected in a timely manner. The United States cannot now, and will not in the near future, be able to confidently detect and identify militarily significant nuclear tests of one kiloton or less by the way, that is roughly 500 times larger than the blast which destroyed the Murrah Building in Oklahoma City. We cannot detect a test of that magnitude.

What is ''militarily significant'' nuclear testing? Definitions of the term might vary, but I think we'd all agree that any nuclear test that gives a nation information to maintain its weapons or to develop newer, more effective weaponry is militarily significant.

In the course of U.S. weapons development, nuclear tests with yields between 1 kiloton and 10 kilotons have generally been large enough to provide ''proof'' data on new weapons designs. Other nations might have weaponry that could be assessed at even lower yields. As we know, crude but strategically significant weapons, like the bomb we dropped on Hiroshima, don't need to be tested at all. But for the sake of argument, let's be conservative and assume that other nations would also need to conduct tests at a level above 1 kiloton to develop a new nuclear weapon design.

The verification system of the CTBT is supposed to detect nuclear blasts above 1 kiloton, so it would seem at first glance that it will be likely that most cheaters would be caught. But look at the Treaty's fine print—the CTBT's International Monitoring System will be able to detect tests of 1 kilotons or more if they are nonevasive. This means that the cheater will be caught only if he does not try to hide his nuclear test.

But what if he does want to hide it? What if he conducts his test evasively?

It is a very simple task for Russia, China, or others to hide their nuclear tests. One of the best known means of evasion is detonating the nuclear device in a cavity such as a salt dome or a room mined below ground. Because it surrounds the explosion with empty space, this technique—called decoupling—reduces the noise, or the seismic signal, of the nuclear detonation.

The signal of a decoupled test is so diminished—by as much as a factor of 70—that it will not be possible to reliably detect it. For example, a 1,000-ton hidden test would have a signal of a 14-ton open test. This puts the signal of the illicit test well below the threshold of detection.

Decoupling is a well-known technique and is technologically simple to achieve. In fact, it is quite possible that Russia and China have continued to conduct nuclear testing during the past 7 years, while the United States has refrained from doing so. They could have done so by decoupling.

There are also other means of cheating that can circumvent verification. One is open-ocean testing. A nation could put a device on a small boat or barge, tow it into the ocean, and detonate it anonymously. It would be virtually impossible to link the test to the cheater.

While evasive techniques are expensive and complex, the costs are relatively low compared to the expense of a nuclear weapons program, and no more complicated than weapons design. Further, established nuclear powers are well positioned to conduct clandestine testing to assure the reliability and undertake at least modest upgrades of their arsenals. Russia and China do not have good records on compliance with arms control and nonproliferation commitments. In addition, according to the Washington Times, United States intelligence agencies believe China conducted a small underground nuclear test in June and Russia is believed to have conducted a nuclear test earlier this month. While neither country has ratified the CTBT, both have signed the treaty and have promised to adhere to a testing moratorium. Again, so much for the norm.

The bottom line is that a determined country has several means to conceal its weapons tests and the CTBT is not effectively verifiable.

Let me stress here that my assessment is not based on opinions. Our inability to verify a whole range of nuclear testing is well-known and has been affirmed by the U.S. Intelligence Community. As the Washington Post reported earlier this week, our intelligence agencies lack the ability to confidently detect low-yield tests. We would be irresponsible in the extreme to ratify an unverifiable arms control treaty—especially when that treaty will inevitably reduce our confidence in our own nuclear deterrent.

President Clinton's first Director of the Central Intelligence Agency, James Woolsey, summed up the problems with verification of the treaty stating in Senate testimony that,

> I believe that a zero-yield Comprehensive Test Ban Treaty is extraordinarily difficult, to the point of near impossibility—and possibly to the point of impossibility—to verify from afar.

In addition to the negative consequences that would result from treaty ratification, I would also point out that this accord is very poorly crafted. The CTBT is weakest at its very foundation—it actually fails to say what it bans. Nowhere in its 17 articles and 2 annexes are the terms ''nuclear weapon test explosion'' or ''nuclear explosion'' defined or quantified and these are the terms used in the treaty's basic obligations.

Acting Under Secretary of State John Holum admitted this point in responses to questions for the record on June 29 of this year stating:

> The U.S. decided at the outset of negotiations not to seek international agreement on a definition of ''nuclear weapon test explosion'' in the Treaty text. The course of negotiations confirmed our judgment that it would have been extremely difficult, and possibly counterproductive, to specify in technical terms what is prohibited by the Treaty.

May I read that again:

> The course of negotiations confirmed our judgment that it would have been extremely difficult, and possibly counterproductive, to specify in technical terms what is prohibited by the Treaty.

But another nation might choose to apply a less restrictive definition and conduct very low-yield testing, what we call hydronuclear testing. While the United States interprets the treaty to ban all nuclear explosives testing—that is why they call it a zero ban test—other nations could conduct very low-yield testing, as I said, which we could not verify but which they would consider in compliance with the treaty. This so-called hydronuclear testing is very useful to nuclear weapons programs by helping improve the understanding of fundamental nuclear weapons physics, develop new weapons concepts, ascertain existing weapons' reliability, and exercise the skills of scientists, engineers, and technicians. The nuclear energy released in a hydronuclear test can be less than the equivalent released by four pounds of conventional high explosives. This is virtually nothing, and such a low-yield test would almost certainly escape detection.

This is where the treaty's vagueness is actually harmful to our interests. Even if we were able to detect it, the nation conducting a hydronuclear test could simply argue that it was legal under the treaty. And they would have the historical CTBT negotiating record on their side. Many drafts of the CTBT prior to the Clinton administration allowed for low-yield ''permitted experiments.''

The verification regime of the CTBT—centered around the International Monitoring System, or IMS—will not be able to detect tests with far greater yields than hydronuclear tests. These tests can be conducted with virtually no risk of detection by either the IMS system or U.S. technical means.

There is much more to say about this treaty, but I believe I have outlined the primary reasons why the only prudent course for the Senate is to reject the CTBT. It will jeopardize rather than enhance our national security. It will undermine our vital nuclear deterrent by jeopardizing the reliability of our nuclear stockpile. It will prevent us from making our weapons as safe as they can be. It will not stop nuclear

proliferation, and it is not verifiable. It is not worthy of Senate approval.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Delaware.

Mr. BIDEN. Mr. President, I am anxious to respond point by point to my friend. I suggest, to believe his arguments, as the old saying goes, requires the suspension of disbelief. I find them to be well intended but half true. I will be very specific about each one of them, beginning with this notion of the value of deterrence.

I find it fascinating, my colleagues talk about these other nations can have a Hiroshima-type bomb and build without testing and that would radically affect our security; yet we cannot rely in the future on our certainty of 6,000 sophisticated nuclear weapons in the stockpile. I urge my friends to read today's New York Times and Washington Post where our allies are apoplectic about the fact my colleagues are going to reject this treaty.

The absolute notion that this idea is—don't let them kid you about this debate, folks, anybody watching this. You do not have to be a nuclear scientist to understand. You do not have to be a sophisticated foreign policy specialist to grasp what is at stake.

Think of it this way when they tell you the security of our nuclear stockpile is going to become so unreliable over time, that, as Dr. Schlesinger has said and my friend from Arizona has alluded, our enemies are going to know we do not have confidence in it and that is going to embolden them, and our allies such as Germany and Japan are going to go nuclear because they cannot count on us.

That is fascinating. Why did all of our allies sign and ratify this treaty? Why are they apoplectic about the prospect that we will not sign this treaty? I ask my colleagues when is the last time they can remember the Prime Minister of Great Britain or the President of France saying publicly: My Lord, I hope the Senate doesn't do that.

You cannot have it both ways. This is an argument that I find absolutely preposterous. Although one can technically make it, it does require the suspension of disbelief in order to arrive at that conclusion.

One has to be an incredible pessimist to conclude that the 6,000 nuclear weapons configured in nine different warheads are going to atrophy after spending $45 billion over the next 10 years, and after having been able to certify without testing for the last 3 years that it is in good shape, that some nation is going to say: We got them now, guys; I know they don't believe their system is adequate; maybe one of those bombs won't go off, maybe 10 of them, maybe 100 of them, maybe 1,000 of them, maybe 3,000 of them.

We still have 3,000 left. Back when the Senator from Nebraska and I were kids and Vietnam was kicking up, we used to see bumper stickers: One atom bomb can ruin your day.

I am going to go into great detail on every point my friend raised and talk about, for example, the idea we cannot modernize these weapons when we find a defect; we cannot deal with them without testing.

Dr. Garwin yesterday—one of the most brilliant scientists we have had, who has been involved in this program since 1950—says, you can replace the whole physics package without changing.

By the way, I am going to yield to my friend from Pennsylvania.

Names are mentioned here: Dr. Robinson, of Sandia; Victor Reis, the architect of the program, whom I spent 2½ hours with the other day. They do not tell you the end of the sentence. The end of the sentence is: They both are for this treaty. They both are for this treaty, along with 32 Nobel laureates in physics. I ask unanimous consent that the list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A LETTER FROM PHYSICS NOBEL LAUREATES

To Senators of the 106th Congress:

We urge you to ratify the Comprehensive Test Ban Treaty.

The United States signed and ratified the Limited Test Ban Treaty in 1963. In the years since, the nation has played a leadership role in actions to reduce nuclear risks, including the Non-Proliferation Treaty extension, the ABM Treaty, STARTs I and II, and the Comprehensive Test Ban Treaty negotiations. Fully informed technical studies have concluded that continued nuclear testing is not required to retain confidence in the safety, reliability and performance of nuclear weapons in the United States' stockpile, provided science and technology programs necessary for stockpile stewardship are maintained.

The Comprehensive Test Ban Treaty is central to future efforts to halt the spread of nuclear weapons. Ratification of the Treaty will mark an important advance in uniting the world in an effort to contain and reduce the dangers of nuclear arms. It is imperative that the CTBT be ratified.

Philip W. Anderson, Princeton University, 1977 Nobel Prize; Hans A. Bethe, Cornell University, 1967 Nobel Prize; Nicolaas Bloembergen, Harvard University 1981 Nobel Prize; Owen Chamberlain, UC, Berkeley, 1959 Nobel Prize; Steven Chu, Stanford University, 1997 Nobel Prize; Leon N. Cooper, Brown University, 1972 Nobel Prize; Hans Dehmelt, University of Washington, 1989 Nobel Prize; Bal L. Fitch, Princeton Unversity, 1980 Nobel Prize; Jerome Friedman, MIT, 1990 Nobel Prize; Donald A. Glaser, UC, Berkeley, 1960 Nobel Prize; Sheldon Glashow, Harvard University, 1979 Nobel Prize; Henry W. Kendall, MIT, 1990 Nobel Prize; Leon M. Lederman, Illinois Institute of Technology, 1988 Nobel Prize; David M. Lee, Cornell University, 1996 Nobel Prize; T.D. Lee, Columbia University, 1957 Nobel Prize; Douglas D. Osheroff, Stanford University 1996 Nobel Prize;

Arno Penzias, Bell Labs, 1978 Nobel Prize; Martin L. Perl, Stanford University, 1995 Nobel Prize; William Phillips, Gaithersburg, 1997 Nobel Prize; Norman F. Ramsey, Harvard, 1989 Nobel Prize; Robert C. Richardson, Cornell University, 1996 Nobel Prize; Burton Richter, Stanford University, 1976 Nobel Prize; Arthur L. Schawlow, Stanford University, 1981 Nobel Prize; J. Robert Schrieffer, Florida State University, 1972 Nobel Prize; Mel Schwartz, Columbia University, 1988 Nobel Prize; Clifford G. Shull, MIT, 1994 Nobel Prize; Joseph H. Taylor, Jr., Princeton University, 1993 Nobel Prize; Daniel C. Tsui, Princeton, 1998 Nobel Prize; Charles Townes, UC, Berkeley, 1964 Nobel Prize; Steven Weinberg, Univ. of Texas, Austin, 1979 Nobel Prize; Robert W. Wilson, Harvard-Smithsonian, 1978 Nobel Prize; Kenneth G. Wilson, Ohio State University, 1982 Nobel Prize.

Mr. BIDEN. Five of the last six Chairmen of the Joint Chiefs of Staff are for this treaty, along with people such as Paul Nitze of the Reagan administration, Stansfield Turner, Charles Curtis, and so on. I ask unanimous consent that a list of those in support of the treaty be printed in the RECORD

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PROMINENT INDIVIDUALS AND NATIONAL GROUPS IN SUPPORT OF THE CTBT

CURRENT CHAIRMAN AND FORMER CHAIRMEN OF THE JOINT CHIEFS OF STAFF

General Hugh Shelton, Chairman of the Joint Chiefs of Staff.

General John Shalikashvili, former Chairman of the Joint Chiefs of Staff.

General Colin Powell, former Chairman of the Joint Chiefs of Staff.

General David Jones, former Chairman of the Joint Chiefs of Staff.

Admiral William Crowe, former Chairman of the Joint Chiefs of Staff.

FORMER MEMBERS OF CONGRESS

Senator John C. Danforth.
Senator J. James Exon.
Senator Nancy Kassebaum Baker.
Senator Mark O. Hatfield.
Senator John Glenn.
Representative Bill Green.
Representative Thomas J. Downey.
Representative Michael J. Kopetski.
Representative Anthony C. Beilenson.
Representative Lee H. Hamilton.

DIRECTORS OF THE THREE NATIONAL LABORATORIES

Dr. John Browne, Director of Los Alamos National Laboratory.

Dr. Paul Robinson, Director of Sandia National Laboratory.

Dr. Bruce Tarter, Director of Lawrence Livermore National Laboratory.

OTHER PROMINENT NATIONAL SECURITY OFFICIALS

Ambassador Paul H. Nitze, arms control negotiator, Reagan Administration.

Admiral Stansfield Turner, former Director of the Central Intelligence Agency.

Charles Curtis, former Deputy Secretary of Energy.

OTHER PROMINENT MILITARY OFFICERS

General Eugene Habiger, former Commander-in-Chief of Strategic Command.

General John R. Galvin, Supreme Allied Commander, Europe.

Admiral Noel Gayler, former Commander, Pacific.

General Charles A. Horner, Commander, Coalition Air Forces, Desert Storm, former Commander, U.S. Space Command.
General Andrew O'Meara, former Commander U.S. Army Europe.
General Bernard W. Rogers, former Chief of Staff, U.S. Army; former NATO Supreme Allied Commander.
General William Y. Smith, former Deputy Commander, U.S. Command, Europe.
Lt. General Julius Becton.
Lt. General John H. Cushman, former Commander, I Corps (ROK/US) Group (Korea).
Lt. General Robert E. Pursley.
Vice Admiral William L. Read, former Commander, U.S. Navy Surface Force, Atlantic Command.
Vice Admiral John J. Shanahan, former Director, Center for Defense Information.
Lt. General George M. Seignious, II, former Director Arms Control and Disarmament Agency.
Vice Admiral James B. Wilson, former Polaris Submarine Captain.
Maj. General William F. Burns, JCS Representative, INF Negotiations, Special Envoy to Russia for Nuclear Dismantlement.
Rear Admiral Eugene J. Carroll, Jr., Deputy Director, Center for Defense Information.
Rear Admiral Robert G. James.

OTHER SCIENTIFIC EXPERTS

Dr. Hans Bethe, Nobel Laureate, Emeritus Professor of Physics, Cornell University; Head of the Manhattan Project's theoretical division.
Dr. Freeman Dyson, Emeritus Professor of Physics, Institute for Advanced Study, Princeton University.
Dr. Richard Garwin, Senior Fellow for Science and Technology, Council on Foreign Relations; consultant to Sandia National Laboratory, former consultant to Los Alamos National Laboratory.
Dr. Wolfgang K.H. Panofsky, Director Emeritus, Stanford Linear Accelerator Center, Stanford University.
Dr. Jeremiah D. Sullivan, Professor of Physics, University of Illinois at Urbana-Champaign.
Dr. Herbert York, Emeritus Professor of Physics, University of California, San Diego; founding director of Lawrence Livermore National Laboratory; former Director of Defense Research and Engineering, Department of Defense.
Dr. Sidney D. Drell, Stanford Linear Accelerator Center, Stanford University.

MEDICAL AND SCIENTIFIC ORGANIZATIONS

American Association for the Advancement of Science.
American Medical Students Association/Foundation.
American Physical Society.
American Public Health Association.
American Medical Association.

PUBLIC INTEREST GROUPS

20/20 Vision National Project.
Alliance for Nuclear Accountability.
Alliance for Survival.
Americans for Democratic Action
Arms Control Association.
British American Security Information Council.
Business Executives for National Security.
Campaign for America's Future.
Campaign for U.N. Reform.
Center for Defense Information.
Center for War/Peace Studies (New York, NY).
Council for a Livable World.
Council for a Livable World Education Fund.
Council on Economic Priorities.
Defenders of Wildlife.
Demilitarization for Democracy.
Economists Allied for Arms Reduction (ECAAR).
Environmental Defense Fund.
Environmental Working Group.
Federation of American Scientists.
Fourth Freedom Forum.
Friends of the Earth.
Fund for New Priorities in America.
Fund for Peace.
Global Greens, USA.
Global Resource Action Center for the Environment.
Greenpeace, USA.
The Henry L. Stimson Center.
Institute for Defense and Disarmament Studies (Saugus, MA).
Institute for Science and International Security.
International Association of Educators for World Peace (Huntsville, AL).
International Physicians for the Prevention of Nuclear War.
International Center.
Izaak Walton League of America.
Lawyers Alliance for World Security.
League of Women Voters of the United States.
Manhattan Project II.
Maryknoll Justice and Peace Office.
National Environmental Coalition of Native Americans (NECONA).
National Environmental Trust.
National Commission for Economic Conversion and Disarmament.
Natural Resources Defense Council.
Nuclear Age Peace Foundation.
Nuclear Control Institute.
Nuclear Information & Resource Service.
OMB Watch.
Parliamentarians for Global Action.
Peace Action.
Peace Action Education Fund.
Peace Links.
PeacePAC.
Physicians for Social Responsibility.
Plutonium Challenge.
Popualtion Action Institute.
Population action International.
Psychologists for Social Responsibility.
Public Citizen.
Public Education Center.
Safeworld.
Sierra Club.
Union of Concerned Scientists.
United States Servas, Inc..
Veterans for Peace.
Vietnam Veterans of America Foundation.
Volunteers for Peace, Inc.
War and Peace Foundation.
War Resistors League.
Women Strike for Peace.
Women's Action for New Directions.
Women's Legislators Lobby of WAND.
Women's International League for Peace and Freedom.
World Federalist Association.
Zero Population Growth.

RELIGIOUS GROUPS

African Methodist Episcopal Church.
American Baptist Churches, USA.
American Baptist Churches, USA, National Ministries.
American Friends Service Committee.
American Jewish Congress.
American Muslim Council.
Associate General Secretary for Public Policy, National Council of Churches.
Catholic Conference of Major Superiors of Men's Institutes.
Church Women United.
Coalition for Peace and Justice.
Columbian Fathers' Justice and Peace Office.
Commission for Women, Evangelical Lutheran Church in America.
Covenant of Unitarian Universalist Pagans.
Christian Church (Disciples of Christ) in the United States and Canada.
Christian Methodist Episcopal Church.
Church of the Brethren, General Board.
Division of Church in Society, Evangelical Lutheran Church in America.
Division for Congressional Ministries, Evangelical Lutheran Church in America.
Eastern Archdiocese, Syrian Orthodox Church of Antioch.
The Episcopal Church.
Episcopal Peace Fellowship, National Executive Council.
Evangelicals for Social Action.
Evangelical Lutheran Church in America.
Fellowship of Reconciliation.
Friends Committee on National Legislation.
Friends United Meeting.
General Board Members, Church of the Brethren.
General Board of Church and Society, United Methodist Church.
General Conference, Mennonite Church.
General Conference of the Seventh Day Adventist Church.
Jewish Peace Fellowship.
Lutheran Office for Governmental Affairs, Evangelical Lutheran Church in America.
Mennonite Central Committee.
Mennonite Central Committee, U.S.
Mennonite Church.
Methodists United for Peace with Justice.
Missionaries of Africa.
Mission Investment Fund of the ELCA, Evangelical Lutheran Church in America.
Moravian Church, Northern Province.
National Council of Churches.
National Council of Churches of Christ in the USA.
National Council of Catholic Women.
National Missionary Baptist Convention of America.
NETWORK: A National Catholic Social Justice Lobby.
New Call to peacemaking.
Office for Church in Society, United Church of Christ.
Orthodox Church in America.
Pax Christi.
Presbyterian Church (U.S.A.).
Presbyterian Peace Fellowship.
Progressive National Baptist Convention, Inc.
Religious Action Center of Reform Judaism.
The Shalom Center.
Sojourners.
Union of American Hebrew Congregations.
United Church of Christ.
United Methodist Church.
United Methodist Council of Bishops.
Unitarian Universalist Association.
Washington Office, Mennonite Central Committee.
Women of the ELCA, Evangelical Lutheran Church in America.

Sources: Coalition to Reduce Nuclear Dangers and Statement by President Clinton, 7/20/99.

Mr. BIDEN. Mr. President, this idea that the stockpile is not going to be reliable, that you can't—we have thousands of parts, and the Russians have missiles with bombs with only 100 parts, and that has some significance. I have said it before.

I will yield now. I used to practice law with a guy named Sidney Balick—a good trial lawyer. Every time he would start a jury trial, he would start off by saying: I want you to take a look at my client. I want you to look at him. They're going to tell you he's not such a good looking guy. He's not. They're going to tell you you would not want to invite him home for dinner to meet your daughter. I wouldn't either. They're going to tell you—and he would go on like that. But he would say: I want you to keep your eye on the ball. Keep your eye on the ball. Follow the bouncing ball. Did he kill Cock Robin? That is the question.

The question is, At the end of the day, if we reject this treaty, are we better off in terms of our strategic interest and our national security or are we better off if we accept and ratify the treaty that all our allies have ratified? Which is better? Keep your eye on the ball.

I will respond, as I said, in due time to every argument my friend has made, from ''the safety features argument'' to ''the purpose can't be achieved'' to ''nations that don't have sophisticated weapons are going to be able to cheat,'' and so on and so forth. But in the meantime, out of a matter of comity, which is highly unusual, because I should do a full-blown opening statement, I will yield to my friend from Pennsylvania because he has other commitments. Then I will come back to a point-by-point rebuttal of the statement by my friend from Arizona.

How much time is the Senator seeking?

Mr. SPECTER. I think I can do it in 20 minutes. It might take a little longer.

Mr. BIDEN. It can't take any longer. I will yield 20 minutes to the Senator.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Patrick Cottrell be able to be on the floor for the remainder of this debate.

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

The Senator from Pennsylvania.

Mr. SPECTER. I thank the Senator from Delaware for yielding me time at this time.

Mr. President, this debate on the Comprehensive Test Ban Treaty may one day be classified as a historic debate. The issue which is being framed today, in my opinion, is the most important treaty issue, international issue which has faced this Senate since the Treaty of Versailles, which was rejected by the Senate, setting off an era of isolationism and, for many, enormous international problems resulting in World War II.

It is my hope this treaty will be ratified. I do not expect it to be ratified in a vote on Tuesday because the picture is clear that there are not enough Senators to provide the two-thirds constitutional balance. But it is my hope before that scheduled vote arises on Tuesday that we will have worked out an operation to defer the vote on this treaty.

I agree with my distinguished colleague from Arizona, Senator KYL, that a nuclear deterrent is vital for the national security of the United States. When he cites the Comprehensive Test Ban Treaty as being negotiated by the Clinton administration—really an idea of the Clinton administration—I would point to the statements of President Eisenhower more than 40 years ago when he articulated the national interest in a comprehensive test ban treaty.

In a speech on August 22, 1958, President Eisenhower said this:

> The United States . . . is prepared to proceed promptly to negotiate an agreement with other nations which have tested nuclear weapons for the suspension of nuclear weapons tests. . . .

In a very succinct statement in a letter to Bulganin, on January 12, 1958, President Eisenhower said:

> . . . that, as part of such a program which will reliably check and reverse the accumulation of nuclear weapons, we stop the testing of nuclear weapons, not just for two or three years, but indefinitely.

It is hard to give a more emphatic bipartisan flavor than President Eisenhower's specific statements.

When the Senator from Arizona cites a list of six preeminent former Secretaries of Defense, I say that is, indeed, impressive. I would look to the assurances which we have today from Gen. Hugh Shelton, the Chairman of the Joint Chiefs of Staff, and the Secretary of Defense, William Cohen, in analyzing the two basic issues which have been set forth in the parameters by Senator KYL. And they are: Can we assure stability of our stockpile? Can we reasonably verify compliance by others?

There is a balance of risks. There is no test which will be absolute in its terms. But the essential question on balancing the risks and balancing the judgment is whether we would be better off with the Comprehensive Test Ban Treaty or without it.

The United States has an enormous lead on nuclear weapons. We have the nuclear deterrent. We have seen other nations—India and Pakistan—starting the test process. We have reason to be gravely concerned about North Korea's capacity with nuclear weapons. We worry about rogue nations such as Iraq, Iran, Libya, and others. So that, at least as I assess the picture, on a balance of risks, we are much better off if we limit testing than if we proceed to have testing.

The Stockpile Stewardship Program, I think, is reasonably effective. Is it perfect? No, it is not. The issue of verification, I think, is reasonably effective. It does not get some of the low-yield weapons. And activities are underway to try to solve that.

Secretary of Energy Richardson was in Moscow within the past week working with the Soviets on the so-called transparency test—illustrative of one of the efforts among many being undertaken to narrow the gap on verification. But again, it is a matter of balancing the risks. With or without the treaty, where are we better off?

I had an occasion to talk to Gen. Hugh Shelton, Chairman of the Joint Chiefs of Staff, earlier this week. I asked General Shelton the details of these questions, about the stability of our nuclear stockpile and the verification procedures. General Shelton said that we were in good shape on both issues.

Then I asked General Shelton the obvious question: Was his view, was his judgment colored to any extent by being in the administration of President Clinton as President Clinton's Chairman of the Joint Chiefs of Staff? It is not unheard of for even four-star generals to be a little concerned about what the Commander in Chief might prefer. General Shelton looked me in the eye and said: Senator, these are my honest views. If they weren't, I wouldn't state them; and rather than state views I didn't believe in, I could always retire.

I had occasion to talk at some length with Secretary of Defense William Cohen. It is true, as the Senator from Arizona outlines, at one point then-Senator Cohen had a different view. And as Secretary Cohen testified in hearings this week, a number of factors have led him to a different conclusion.

The question might also be raised as to whether the Commander in Chief of the Secretary of Defense might color, to some extent, his views. I am satisfied that Bill Cohen, with whom I worked in this body for some 16 years, would not put America at risk if he didn't believe what he said, that this Comprehensive Test Ban Treaty, balancing all considerations, was appropriate.

Once moving beyond the study of the treaty, which I have done, having announced my support for the treaty some time ago, after study and after looking at some of the experts, the question, in my judgment, is essentially a political question. I believe the lessons of history support arms control. That is a view I have held for some time.

I started my own personal studies of the United States-Soviet relations as a college senior, majoring in international relations at the University of Pennsylvania, and wrote my college thesis on United States-U.S.S.R. relations. One of the first resolutions I offered, coming to the Senate in early 1982, was a resolution for arms control. In 1982, Senators were pretty well lined up on philosophical grounds, those who favored arms control and those who did not favor arms control.

I recall that as a very tough debate against the chairman of the Armed Services Committee, John Tower. Who is ARLEN SPECTER to tell the President what to do in pushing for a summit agreement? Senator Tower put me through the paces, so to speak, and we talked about our nuclear deterrence.

Fortunately, I had been to Grand Forks, ND, taken a look at the Minuteman silo, absolutely terrified to see that enormous missile, looked down; about 100 feet into the ground it went. I had gone to Charleston, SC, to take a look at our nuclear submarines. I had been to Edwards Air Force Base to take a look at some of our latest bombers. The Senate decided with my position, on a vote of 90–8, we ought to have a summit. President Reagan was a major proponent of arms control, and President Reagan then pushed the summit concept. So the idea of arms control is not an idea which has originated with President Clinton, with President Eisenhower, President Reagan foursquare behind it.

I have not hesitated to buck the arms control concept if I thought the United States had some technical advantage to be gained by stepping out on our own, if that would promote our national security. Attending the Geneva arms control talks in the mid-1980s, I became persuaded that the Strategic Defense Initiative was a sound proposition, though very controversial, that turned on our ability to develop the SDI, the Strategic Defense Initiative, as to whether the Anti-Ballistic Missile Treaty was subject to the broad interpretation or the narrow interpretation.

There were some very heated debates on the floor of the Senate. Senator MOYNIHAN was involved. Senator NUNN, a leading expert in the entire field, argued very strenuously for the narrow interpretation of the Anti-Ballistic Missile Treaty. I argued for the broad interpretation, which I thought was legitimate, because it would give leave to develop the strategic arms initiative. That was a complex issue. Many people said it was Star Wars, spy in the sky, couldn't be done.

I recollected, historically, that Vanevar Bush, a leading expert in the field, testified before Congress during World War II, actually in 1945, that it would be ''impossible to develop intercontinental ballistic missiles.'' Fanciful as it may have been in 1945, we now know they have been developed.

Then-Secretary of Defense Robert McNamara said, in 1945, that the United States had such a tremendous lead, the Soviets could never catch us. He was wrong, too. They caught us and surpassed us. We know the story that is not apocryphal, that a clerk in the Patent Office resigned at the turn of 19th century because there was nothing new to be discovered. I agreed with President Reagan's vision on the Strategic Defense Initiative that we spent a lot of money on it, and I don't think the money was wasted because we still are working and, more recently, with some success on missile defense.

In that context, President Reagan had an idea for control. President Reagan spoke out about sharing what we would learn with the Soviets to give them our defense system so there would not be an imbalance, so the nuclear deterrence on both sides, that balance of power, would not be affected.

I had occasion to have a long discussion with President Reagan on September 17, 1987, the 200th anniversary of the signing of the Constitution of the United States. President Reagan went to my hometown, Philadelphia. We had a long plane ride and a fair-sized car ride. I asked the President how he could see to it that the Soviet Union had our secrets when it really wouldn't be a matter during his Presidency and really it is a matter up to Congress. Candidly, President Reagan had no absolute answer to that point. But it was his vision that we would have the Strategic Defense Initiative and that we would share it with the Soviet Union.

When we take a look at the specifics and the technicalities, my sense is, there are reasonable assurances but it is a matter of balancing the risks.

We had a remarkable closed session of 5 hours in S–407 upstairs, which is the room where we have our secret briefings. After 5 hours, there was no doubt that it is a complicated subject. The distinguished chairman of the Arms Services Committee, Senator WARNER, came to the Republican luncheon caucus on Tuesday and said there is an adequate record to assure a negative vote on the Comprehensive Test Ban Treaty. I later had a chance to discuss with my distinguished colleague from Virginia the converse question. May the RECORD show he is on the floor now; nothing behind his back.

Mr. WARNER. Mr. President, no, indeed; I am right here. At such point as the Senator will entertain a question, I will be happy to put it to my colleague.

Mr. SPECTER. We may come to that.

I will repeat the assurances that Senator WARNER gave me, that while he said there was an adequate record for a negative vote, he also said there was an adequate record for an affirmative vote, depending on how one looked at the evidence. So my view is, it comes down to a judgment call. It comes down to an issue which is essentially a political question as to how the national security of the United States is better served by relying on our superiority today and stopping other nations from achieving superiority.

I believe the United States would be well advised to move ahead to ratify this treaty and to show the world we still have a preeminent role of world leadership in moral terms as well as in armament terms.

We have the unprecedented event just this morning, where we have the op-ed piece appearing in the New York Times with the Prime Minister of Britain, the President of France, Chancellor of Germany, all urging this Senate to ratify the Comprehensive Test-Ban Treaty.

I had occasion to travel to Ukraine in August; I talked to the President of Ukraine, Foreign Minister, and other ranking officials. The ratification of the Comprehensive Test-Ban Treaty was high on their agenda. Ukraine has taken a unique attitude in giving up nuclear weapons. Many nations around the world seek nuclear weapons as a sign of their national power. Ukraine is prepared to give them up. I asked the leader of that country why. President Kuchma responded: Well, we prefer the Japanese model of economic strength. Also, we have had the terrible experience at Chernobyl, and we do not want to have nuclear weapons for fear of what happened at Chernobyl. But high on the agenda of the Ukraine top officials is ratification by the United States.

Senator HANK BROWN and I had occasion to travel to the subcontinent in 1995. We talked to Indian Prime Minister Rao.

He told us that he would be very interested in seeing the subcontinent nuclear free. A day or two later, we were in Pakistan talking to Prime Minister Benazir Bhutto, and we related to Prime Minister Bhutto what Premier Rao had to say. She said, ''Did you get it in writing?'' We thought it was a little flip, perhaps.

We said, ''No,'' and countered with, perhaps, an equally flip question: ''When was the last time you talked to the Prime Minister of India?'' She said, ''We don't talk.'' Senator BROWN and I said, ''Well, we think you should.''

The next day, August 28, we had departed for Damascus. Senator Brown and I sent a letter to the President urging him to call into the Oval Office the Prime Minister of India and the Prime Minister of Pakistan.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, August 28, 1995.

The PRESIDENT
The White House, Washington, DC.

DEAR MR. PRESIDENT: I think it important to call to your personal attention the substance of meetings which Senator Hank Brown and I have had in the last two days with Indian Prime Minister Rao and Pakistan Prime Minister Benazir Bhutto.

Prime Minister Rao stated that he would be very interested in negotiations which would lead to the elimination of any nuclear weapons on his subcontinent within ten or fifteen years including renouncing first use of such weapons. His interest in such negotiations with Pakistan would cover bilateral

talks or a regional conference which would include the United States, China and Russia in addition to India and Pakistan.

When we mentioned this conversation to Prime Minister Bhutto this morning, she expressed great interest in such negotiations. When we told her of our conversation with Prime Minister Rao, she asked if we could get him to put that in writing.

When we asked Prime Minister Bhutto when she had last talked to Prime Minister Rao, she said that she had no conversations with him during her tenure as Prime Minister. Prime Minister Bhutto did say that she had initiated a contact through an intermediary but that was terminated when a new controversy arose between Pakistan and India.

From our conversations with Prime Minister Rao and Prime Minister Bhutto, it is my sense that both would be very receptive to discussions initiated and brokered by the United States as to nuclear weapons and also delivery missile systems.

I am dictating this letter to you by telephone from Damascus so that you will have it at the earliest moment. I am also telefaxing a copy of this letter to Secretary of State Warren Christopher.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. There is great power in the Oval Office. No one declines an invitation to the Oval Office—at least, I don't know of anybody who has declined an invitation to the Oval Office. I had occasion to speak to the President about it later in 1995, and he said he thought it was a good idea, but he wanted to defer it until after the 1996 election. I talked to him after the 1996 election, and he said he still wasn't ready to do it, and what would happen with China and India.

I am not going to criticize the President for not calling them in. I hope he will yet. But I think when India and Pakistan tested nuclear weapons in the spring of 1998, it was a very dangerous sign for the world. How can the United States ask India and Pakistan not to test nuclear weapons when we won't ratify the Comprehensive Test-Ban Treaty? It simply doesn't make any sense. And that is why I think the national security of the United States would be enhanced on a balance of risks. It may not be perfect on verification, or it may not be perfect on the stability of our stockpiles, but whatever risk is involved there, I believe it is minimal. It is a small risk compared to having India and Pakistan test nuclear weapons and set off an arms race there that can be duplicated around the world.

The failure of the United States to ratify the Comprehensive Test-Ban Treaty has caused a ripple around the world. People wonder why the United States has not ratified this treaty. But if the Senate were to reject the treaty on a Senate vote, there would be a wave around the world, and it would be a tidal wave. What is now a ripple of wonderment would turn into a tidal wave of disbelief and could cause a chain reaction, which would be——

The PRESIDING OFFICER. The 20 minutes yielded to the Senator has expired.

Mr. SPECTER. I ask unanimous consent for an additional 5 minutes.

Mr. MOYNIHAN. With great pleasure. We are listening and learning.

Mr. WARNER. Mr. President, I will ask for an additional minute on our side, to be charged to our time, to ask a question of my good colleague.

The PRESIDING OFFICER. The entire debate is evenly divided. There are many hours on each side.

Mr. MOYNIHAN. I think the Senator from Virginia will have all the time he wishes.

The PRESIDING OFFICER. The Senator from Pennsylvania may continue.

Mr. SPECTER. To repeat my last thought, which might have been lost in the UC request, the failure of the United States, up to date, to ratify the Comprehensive Test-Ban Treaty has caused a ripple of wonderment. A vote by the Senate rejecting the Comprehensive Test-Ban Treaty would cause a tidal wave of astonishment. It might set off a chain reaction around the world, which would be even more serious than the chain reaction of the atomic bombs in Nagasaki and Hiroshima.

When we take a look at what is scheduled for next Tuesday, where we have the vote, it is my hope that we will find a way yet to work our way out of the unanimous consent request. I believe that a vote of rejection on Tuesday—and I have used this word before, and I use it advisedly, but I think it is accurate—I think rejecting the treaty would be catastrophic.

We are in a situation where our distinguished majority leader, Senator LOTT, is unwilling to defer the vote if he is going to have to face a crescendo of demands during next year. Senator LOTT did not want to schedule the Comprehensive Test-Ban Treaty vote at this time. I know because I had asked him to do so. I had asked him to do so in private conversations. When he had given me his reasons, I awaited his judgment. There was substantial urging, maybe even agitation, maybe even goading on the Senate floor by some that Senator LOTT should schedule this vote. He finally responded to it. He responded to it in a context where the treaty is assured to be defeated.

President Clinton held a dinner last Tuesday evening, which was attended by a number of people here, including Senators WARNER, BIDEN, HAGEL, myself, and others. I think it is fair to comment, as it has been in the media.

The President declined to ask that the vote be deferred on the condition that the President not ask that it be taken up all during the year 2000. I think the President felt that would signify backing off, and he thought some events might develop where he had to call for the treaty to be ratified. He said, candidly, he would have a hard time explaining it to our allies.

Well, I can understand Senator LOTT not wanting to see this matter become a political football in the year 2000. It has that potential, whether the parties intend it or not. If there is a crescendo of demand for the treaty to be ratified, taken up in the spring, fall, or summer of next year, it could have an affect on the election in 2000. I think it is realistic to take it out of the election.

Senator LEVIN, the distinguished ranking member of Armed Services, made a public comment in the hearings that he thought the treaty should not come up for ratification before the election. I think that is a sound judgment. There may be a way out of that dilemma by scheduling the treaty debate and vote on November 15 of the year 2000. That will take it out of the election cycle and it would allow President Clinton, who has advocated the treaty, to be a spokesman and have it decided on his watch.

There is another alternative, which is not as good as doing it in November of 2000, but that would be to schedule the debate and vote between January 3 and January 20 of 2001. We would not have a lame duck Senate, and it would be out of the election cycle.

I think it is very important to take this treaty out of politics and out of partisanship. There is an overhang that we should not ignore—a partisan overhang to this debate. All 45 Democrats are said to be in favor of the treaty. The number of Republicans is unknown precisely, but very, very limited. That is bad for America and that is bad for the world. When we had the vote on the use of force in the Gulf in January of 1991, it was largely partisan, where 42 Republicans and only 10 Democrats backed a Republican President. When we had a vote on the use of airstrikes in Yugoslavia earlier this year, it was 58 to 41. Only 17 of 55 Republicans joined the Democrats. That partisanship is highly undesirable.

I ask for one additional minute.

Mr. BIDEN. Mr. President, I will do that. We have 7 hours of debate, and we have 31 people. This is the last minute, and not one second over. I love him, but I will object.

Mr. SPECTER. Love doesn't last very long if it is only up to a minute.

I think there ought to be a recognition of another problem, which I will state in 20 seconds. There is a certain lack of trust between Capitol Hill and the White House, and that is a fact that we have to take into account in our calculations. Within 20 seconds, I can't recount why.

In conclusion—the two most popular words in any speech—I think we ought to avoid playing nuclear roulette with the Comprehensive Test-Ban Treaty. Russian roulette is a great sport, played with a revolver in which one chamber has the bullet.

But I think in this matter, we are playing with nuclear roulette if we go to a vote next Tuesday and reject this treaty.

I urge my colleagues to work hard to find a way to debate and vote this issue at a later time.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, I yield time.

Mr. KYL. Mr. President, I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, on the time allocated to those in opposition, I want to ask my good friend a question.

First, we joined this institution at about the same time a number of years ago. I very much respect the Senator. So much of the Senator's career has been devoted to international relations, and he reflects very warmly one of the great teachers he had, and that was Senator Tower, former chairman of the Senate Armed Services Committee.

But I want to go back to a particular reference that the Senator made in his opening remarks to the support by the uniformed officers of the chairman of the Joint Chiefs and others for this treaty. It is true that there is a division of opinion between the Joint Chiefs. I don't speak in terms of those in opposition today, but I mean those who precede.

We have letters on both sides pointing out how men and women of good conscience—men and women who have had extensive experience in these fields—are different on this treaty. But the question I put to my good friend relates to the President's letter of transmittal of this treaty on September 22, 1997. I am reading from that document which accompanied the treaty to the Senate. There is a provision in there called ''the safeguards.''

I recite a sentence of that.

> The understanding that if the President of the United States is informed by the Secretary of Defense and the Secretary of Energy (DOE)—advised by the Nuclear Weapons Council, the Directors of DOE's nuclear weapons laboratories, and the Commander of the U.S. Strategic Command—that a high level of confidence in the safety or reliability of a nuclear weapon type that the two Secretaries consider to be critical to our nuclear deterrent could no longer be certified, the President, in consultation with the Congress, would be prepared to withdraw from the CTBT under the standard ''supreme national interests'' clause in order to conduct whatever testing might be required.

Speaking for myself—and I have in the course of the last several days as Chairman of the Armed Services Committee dealt extensively with this entire issue before the Senate today—I have time and time again referred to the fact that it is my conclusion, drawn from talking with a number of these senior military officers who have given their support, and who in years past have given their support, that it is this clause that is the foundation for their opinion of support.

But I say to my good friend that were we to ratify this treaty, and if it would go into force, then many nations could rely on the act of the United States—as a matter of fact, one of the principal reasons for this treaty is to induce other nations to follow—and then 8, 10, or 15 years down the road we exercise the right under this, what happens to those nations? They are left out there stripped of protection that they could, with their own systems, have developed. And, worse yet, if we were ever compelled to announce to the world that we have concern about the credibility and safety of our nuclear arsenal, that would send a frightening message across the land that what we have had in place these 50 years, referred to as the ''nuclear umbrella,'' which umbrella preserved the peace from major conflict in Europe for 50 years, is now in doubt.

Mr. President, as you talk about who is supporting the treaty, let's go back and examine the reasons.

I say that the military relied very heavily on that clause. In my judgment, if that clause were ever utilized, this country would be in a far worse position than if the Senate were to exercise its right and withhold the advice and consent on ratification.

I ask my good friend, if that clause were invoked, what would be the reality among the world's community of nations? What would be the reality of the signal going out that our credible deterrent is in question?

Mr. SPECTER. Mr. President, I am delighted to respond to that question from the distinguished chairman of the Armed Services Committee on a number of levels.

First of all, the clause is there, so that when the Chairman of the Joint Chiefs and others support the treaty because of the presence of that clause, that is a very important factor. And that clause is worth relying upon.

That is the reason, if there should be a problem either with the stability of our stockpile, or with the verification, and we felt it was necessary for national security to invoke that clause and withdraw, that we would do so.

With respect to other nations which might ratify the treaty based on our leadership, they do so with the full knowledge that that clause is present, and that we have the right to withdraw in our supreme national interest, so that if we should exercise the right of this entire affair in our dealings with those nations because they have known from the very outset that is a distinct possibility, there is nothing hidden about that.

When you ask the pointed question at the very end of the series of implicit questions, when you ask the question, how would it look for our national security if we made a concession that we had a test, and withdrew from the treaty, I would say to my distinguished colleague from Virginia that is no worse than if we did not have the treaty and we started to test.

The only reason we would exercise that clause and withdraw from the treaty would be so that we could start to test.

Assume that we don't have the treaty. Assume down the road that we start to test. That is going to be a loud signal, an explosive signal, to the world that we are not satisfied with the status quo when we have to test.

I think that exercising that clause would be no more emphatic or no more of a problem for the United States than not doing so.

But I think when you take a look behind General Shelton, and other Chairmen of the Joint Chiefs—General Shalikashvili, Colin Powell, David Jones, Bill Crowe, only Admiral Vessey, Chairman Vessey, was on the other side.

I think that is a very weighty consideration.

Mr. WARNER. Mr. President, I simply focus your attention on one or more nations, should this treaty be ratified, saying there is no necessity for us to launch our own program because there stands the United States, the leader. And nowhere in the history of the United States have we ever exercised such a clause as this, I say to my good friend. I don't think there is a precedent in our 200-year history of ever pulling out. But, nevertheless, we could be faced with those facts. Otherwise, there would have been no reason to have put that clause in there.

It was a real situation to the President at that time in transmitting the treaty to the Senate that these conditions could arise, and he put that clause in. I daresay it was put in there such as the military uniformed community could lend their support.

But what happens to that nation that did not start this program and 10 or 12 years hence is left out there? Take, for example, Japan. It has the capacity to generate a program in a matter of a few years. They have relied in many respects on our nuclear deterrent. But if that is ever put in doubt, that nation and others would want to start this program. But it would take a decade for them—perhaps not Japan but most nations—to put into place any credible nuclear deterrent.

I say to my good friend—I know other Senators want to speak; it is important, and we are going to have a good debate today—in my opinion, you jeopardize substantially the world community if at any time you say we might pull out pursuant to that clause.

Mr. SPECTER. Mr. President, if I may respond briefly, I think that Japan is well advised to rely on the

United States and our nuclear deterrent for whatever risk there may be of pulling out. But Japan has, up to the present time, as the Senator from Virginia knows, relied upon the United States. Japan has had ample opportunity to develop whatever nuclear system they could have wanted. They have made the decision to the present time not to. There is no reason to believe they are about to change, regardless of what the United States does.

However, when we talk about the withdrawal provision, that is not unique to the Comprehensive Test Ban Treaty. We have debated repeatedly on the floor of this Senate the provisions of the Anti-Ballistic Missile Treaty which allows withdrawal on notice—again, for supreme national interests. So the insertion of this clause in the treaty is no signal that we are considering using it. I think that is a standard provision.

Mr. WARNER. Mr. President, in fairness to other Senators, we must yield the floor. However, I hope at some point this issue is revisited with my good friend, the distinguished Senator from Delaware.

I yield the floor.

Mr. BIDEN. I yield myself 2 minutes, and then I yield to my friend from New York.

First, the very essential safeguards the chairman indicated all military guys want, I find it fascinating that the Republican leadership would not allow the Senate to include those in the treaty. That indicates what a stacked deck this is and how outrageous is this approach of how we are proceeding on this is.

The very things all the Joint Chiefs and the President of the United States said they wanted in the treaty as the six safeguards when we brought this up in the unanimous consent agreement, we were not allowed to include those as part of the treaty. I think that is telling.

The second point. The Senator says, Have we ever exercised this clause? The appropriate question is, Have we ever needed to? The answer is, we have never concluded we needed to. Such a clause, or a variation, is in every treaty the United States of America signs. This is a bit of a red herring. In every treaty we sign of consequence relating to our national security, there is a supreme national interest clause. The reason we haven't exercised it is that no President has concluded there was a need.

The third point I make, if my friend is concerned—as I know he is—about our friends at one point not being able to rely upon the United States and deciding to go their own route, I ask him why Tony Blair and Jacques Chirac are making a personal appeal to the President of the United States, for goodness sake, pass this treaty. Japan and Germany are saying please, please, pass a treaty. We signed it; we ratified it.

How much time does the Senator from New York require?

Mr. MOYNIHAN. Twenty minutes.

Mr. BIDEN. I am delighted to yield 20 minutes to my friend from New York.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from New York.

Mr. MOYNIHAN. Mr. President, to continue on the point made by our distinguished ranking member that the leaders of Britain, France, and Germany are appealing to the Senate this very day to sign this treaty, I make a point to the Senate which I don't know has ever been made. That is that in the aftermath of the Cold War we find ourselves the one nation on Earth that has the power to shape events all over the Earth.

Coral Bell, of the Australian National University, wrote about this in an article in the recent issue of ''The National Interest,'' called ''American Ascendancy.'' There is a striking passage. She writes:

> During the 1990s, the United States has mostly tiptoed through the current unipolar structure of the society of states with a sort of ponderous tact, like a benign Ferdinand-type bull making its way delicately around a china shop of unknown value. That prudence has been well justified: the situation is still quite new and of uncertain import to all the world's policymakers. History is not much help, for no equal degree of unipolarity has existed since the high point of the Roman world, almost two millennia ago.

I repeat, there has been no such unipolarity since the high point of the Roman world, two millennia ago.

> The central balance of power had seen the main agenda of world politics for more than five centuries.

We think of the Congress of Vienna of 1815, of the British role in the balance of power in Europe, and such the like.

> Bell continues, ''. . . this 'intermission,' even for a time whose length remains a matter of speculation, is a truly transformatory event.''

A truly transformatory event. Nothing such has happened in two millenia.

As if evidence were required, in this morning's New York Times, Jacques Chirac, the President of France, and Tony Blair, Prime Minister of Britain, and Gerhard Schroeder, Chancellor of Germany, wrote an op-ed article pleading with the Senate to ratify this treaty. I ask unanimous consent to have that article printed after my remarks.

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

(See Exhibit 1.)

Mr. MOYNIHAN. At any time in our history, can anyone imagine the effective heads of the Governments of the United Kingdom, France, and Germany pleading with the Senate in our own press to do what we had led the world to do in the first place.

The point has been made that the idea of a Comprehensive Test Ban Treaty was first proposed by President Eisenhower in 1958. I note that when we finally got around to drafting one, the United States was the first signatory on that same day in New York. The other four of the five declared nuclear powers also signed. However, we were the first to propose it, as we were the first to develop nuclear power as a weapon; the first to propose ending tests to continue expanding our arsenals; and now the first to sign such a treaty, almost a generation after Eisenhower proposed it.

There were increments along the way. I was in the Kennedy administration at the time the Atmospheric Test Ban Treaty was signed. It seemed such a large event, and it was.

Governor Harriman was a negotiator in Moscow and made the point—I had served him in Albany, and we talked about this—he said that when he arrived, the Soviets had already decided to sign this treaty, but of course we had to have days of intense negotiations to reach the point where they would agree to do what they had already decided to do. The Soviets had said yes, there is too much danger to mankind.

That was something they had not previously concerned themselves over much with, save as a revolutionary state.

Just a line from the article by the three heads of government:

> The decisions we take now will help determine, for generations to come, the safety of the world we bequeath to our children. As we look to the next century, our greatest concern is proliferation of weapons of mass destruction, and chiefly nuclear proliferation. We have to face the stark truth that nuclear proliferation remains the major threat to world safety.

They are speaking to us in this near-empty Chamber. Some of our most distinguished authorities in these matters are here. Most Senators are not. The powers that dominated the last 500 years of politics: England, France, Germany—Spain somehow not there for the moment—pleading with us.

May I be specific, if I can, on the matter of particular interest? You may be sure it was on the minds of the leaders who have written to us today, and that is the situation in the subcontinent, which is to say India and Pakistan. I was Ambassador to India in 1974 when the Indians set off what they called a ''peaceful nuclear explosion.'' They intended it as such. In conversations with Prime Minister Gandhi, she was persuasive that they were not going to build a bomb; they simply wanted to establish that they had the capacity to do so. It was a matter of prestige. It was a matter of reminding Westerners that Indian physicists, such as Satyendranath Bose, had been as much a part of the great era of discovery early in the century as the Europeans, and more than Americans.

A quarter century goes by. The Congress Party with its universalist tendencies and professions has gone into a

minority. A new party, a Hindu party, as it calls itself, the BJP, came to power in March of 1998. Two months later, India set off a series of five nuclear explosions. That was followed almost instantly with Pakistan doing the same. At the same time, they demonstrated a missile, probably of North Korean origin, which they named the Ghauri, in honor of the first Islamic invader of Hindu India.

Here you have all those things that conspire to destruction. This spring there was a Pakistan offensive in the Kargil mountains of Kashmir. The Indian Government quite successfully held it back and repulsed it, I believe, but not before Pakistani military officers had said: Keep this up and there are other options available to us.

Those other options of course include the nuclear option.

Here an important distinction is to be made. In India, to its great credit, nuclear development is a matter directly under the control of the Prime Minister and is not under the control of the military. The Indian military have been very apolitical, kept out of politics, and have followed civilian command from the beginning. Not so Pakistan. The Pakistan bomb is in the armamentarium of the Pakistan military.

Here, if I can make a point on which I do have total confidence, but I believe is a shared judgment: It is not clear that the Indian tests last year were all that successful. They probably did not achieve a hydrogen bomb as they proclaimed. Even the 1974 test was exaggerated in its volume. The Indians have kept the military out of nuclear matters, but their scientists know they have not sufficiently succeeded, and they want to test more.

In the report from India in this morning's press announcing the BJ Party has been returned to office with a very solid coalition, it was noted that the outgoing government, which will now be coming back in, had committed itself to further testing. They need to do that because they are, obviously, at a disadvantage as regards their adversary, the Pakistanis. They need, as it were, to show the Pakistanis they have the weapons that they have claimed to have. In turn, the Pakistanis will respond.

Pakistan is not a stable country, not a country with civil authority very secure, and an impoverished country, a country that will be selling nuclear weapons. They will be selling them to the Middle East. A Saudi prince has recently visited Pakistan and was shown nuclear facilities. We have to expect this migration. It is ineluctable, unless we get this treaty.

The point I finally make is we dare not reject the treaty but we need not instantly ratify it. The treaty, very carefully drawn, provides that 44 states must have ratified this treaty before it goes into effect—44. As of today, of the 44 states required, 41 have signed the treaty but only 26 have ratified it, which is to say another 18 countries, including the United States, have to do so before it goes into effect. Of these countries, the most significant clearly are India and Pakistan. I assure you—well, I withdraw that remark—I prophesy that, should we turn this treaty down, the forces in New Delhi and in Islamabad will say: ''You see, there are the Western imperialists demanding their own liberties to do anything they wish—tests, they have already the 1,030 tests—and they want now to deny them to us? No. That day is over.''

Can we not listen to our closest friends and allies? We cannot ratify today. Someday we will, but we must not reject this treaty. It would be sending a ruinous signal. The complexities of our procedures in the Senate are not understood abroad, and they need not be in that sense. The word will be we said no, just as in 1919 we said no to the Treaty of Versailles, we would not become involved in the affairs of Europe. And how many years was it until D-Day when we had to land our forces there?

Mr. WARNER. Mr. President, will the Senator yield for a question on my time?

Mr. MOYNIHAN. I am happy to do so and honored.

Mr. WARNER. Mr. President, I have had some discussions with the distinguished senior Senator from New York, as have others, on the question of the timing of the Senate's final deliberation of the treaty. Indeed, I think our leadership and all of us are looking at this in a very serious way. But it seems to me—and this is my judgment—that an element of such consideration has to be a recognition that under our Constitution, next year elections are held across this Nation for the Office of the Presidency, one-third of the Senate, and the entire House. To inject a treaty which, in the minds of many—not this Senator, but I respect the views of others—is so vital to our security interests into that atmosphere and the dynamics of an election year, in my judgment, would not give a fair and objective opportunity for this treaty to be considered solely on its merits. I use the phrase ''solely on its merits.'' Does my colleague agree with me?

Mr. MOYNIHAN. I entirely agree with the Senator, if we can preface his remarks by the statement that we do not have the votes to ratify the treaty today.

Mr. WARNER. I say to my friend, I will work during the course of the day, and he has indicated a willingness to join me in this venture.

Mr. MOYNIHAN. I most certainly have.

Mr. WARNER. I thank the Senator. I yield the floor because I know others are anxious to speak.

Mr. MOYNIHAN. I shall be honored to work with the Senator from Virginia and the Senator from Delaware. This may be a very productive moment in what looks like a perilous time.

Mr. President, I have spoken at some length. I am happy to yield the floor.

EXHIBIT 1

[From the New York Times, Oct. 8, 1999]

A TREATY WE ALL NEED

(By Jacques Chirac, Tony Blair and Gerhard Schröder)

During the 1990's, the United States has made a vital contribution to arms control and nonproliferation. Thanks to the common resolve of the world's powers, we have achieved a substantial reduction in nuclear arsenals, the banning of chemical weapons, the indefinite and unconditional extension of the Nuclear Non-Proliferation Treaty and, in 1996, the conclusion of negotiations on the Comprehensive Test Ban Treaty. South Africa, Ukraine, Kazakhstan and Belarus have renounced nuclear weapons in the same spirit.

The decisions we take now will help determine, for generations to come, the safety of the world we bequeath to our children. As we look to the next century, our greatest concern is proliferation of weapons of mass destruction, and chiefly nuclear proliferation. We have to face the stark truth that nuclear proliferation remains the major threat to world safety.

Failure to ratify the Comprehensive Test Ban Treaty will be a failure in our struggle against proliferation. The stabilizing effect of the Non-Proliferation Treaty, extended in 1995, would be undermined. Disarmament negotiations would suffer.

Over half the countries that must ratify the new treaty to bring it into force have now done so. Britain, France and Germany ratified last year. All the political parties in our countries recognize that the treaty is strongly in our interests, whether we are nuclear powers or not. It enhances our security and is verifiable.

The treaty is an additional barrier against proliferation of nuclear weapons. Unless proliferators are able to test their devices, they can never be sure that any new weapon they design or build is safe and will work.

Congress realized this in 1992 when it compelled the United States Presidential Administration to seek the conclusion of a Comprehensive Test Ban Treaty by 1996. It was a welcome move for the world's strongest power to show the way.

The treaty is effectively verifiable. We need have no fear of the risk of cheating. We will not be relying on the good will of a rogue state to allow inspectors onto its territory. Under the treaty, a global network of stations is being set up, using four different technologies to identify nuclear tests. The system is already being put in place. We know it will work.

Opponents of the treaty claim that, without testing, it will not be possible to guarantee the continuing safety and reliability of nuclear weapons. All nuclear powers, including the United States, Britain and France, examined this issue carefully. All reached the same conclusion. With the right investment and modern technology, the necessary assurance of safety and reliability can be maintained without further nuclear tests.

Rejection of the treaty in the Senate would remove the pressure from other states still hesitating about whether to ratify it. Rejection would give great encouragement

to proliferators. Rejection would also expose a fundamental divergence within NATO.

The United States and its allies have worked side by side for a Comprehensive Test Ban Treaty since the days of President Eisenhower. This goal is now within our grasp. Our security is involved, as well as America's. For the security of the world we will leave to our children, we urge the United States Senate to ratify the treaty.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I yield 12 minutes to the Senator from Nebraska, Mr. HAGEL.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. I thank the Chair.

Mr. President, what is the objective of a comprehensive test ban treaty? What is the objective of what we are about? The objective is to stop nuclear proliferation. The objective is to make the world safer for mankind. Unfortunately, this noble effort now must be rescued from partisan politics. We are trapped in a political swamp as we attempt to compress a very important debate on a very important issue.

A few minutes ago, there was an exchange about timing. We only have a few hours to debate. My goodness, is that any way to responsibly deal with what may, in fact, be the most critical and important vote any of us in this Chamber will ever make? It is not. We cannot have a serious debate about nuclear proliferation when artificial timelines prevent that important debate. Unfortunately, the political environment has captured this issue.

Aside from all the technical debate that will go on, as has begun this morning, and rightfully so, about this treaty, this treaty is symbolic. It represents 50 years of America's leadership throughout the world in dealing with our allies and, yes, our adversaries, in trying to curb nuclear proliferation.

Much has been said this morning by my distinguished colleagues about our allies, Great Britain and France. They moved forward in good faith last year and ratified this treaty. Consequently, they are dismantling their nuclear testing facilities. What do we say to them if we defeat this treaty? What do we say to the rest of the world, and what is that symbol, what is the message we project?

We are far better off to take the time necessary to work our way through the critical questions and issues. This debate needs to be taken down many layers, many levels in the questions that are relevant. We have forced hearings this week in three committees. The committee on which I serve, Foreign Relations, had more than 6 hours of hearings yesterday. They were informative and important. There is a great amount of doubt and question and concern about the governance language in this treaty: Who governs the implementation of this treaty, who is in charge, aside from all the technical questions. We could take days on the provisions for site inspections alone, and we should.

What are the consequences of us pulling out of this treaty? I hear from a number of my friends: If it is a bad treaty, we sign it and go ahead, and if the President of the United States says in the supreme national security interests of America we will pull out of the treaty—my goodness, do we think it is that easy to arbitrarily pull out of a treaty we led for over 50 years under the leadership of President Eisenhower, that was further anchored by the actions of President Kennedy with the first ban on nuclear testing in 1963? Do we think the political environment would be such that we could just arbitrarily pull out when we wanted? Do we not understand the consequences of that?

What about side agreements? We learned yesterday, for example, in the Foreign Relations Committee hearings that there are side agreements. That does not mean it is bad, but what are those side agreements? How do they affect us? What is the management? What is the governance? Who makes the deal? Do those side agreements have force behind them? What happens in 10 years when there are new governments?

My colleagues understand and share with me the same fundamental responsibility to this country, and that is, America's security is paramount; nothing else is more important. That is our premier responsibility as Senators as we debate this issue. The fundamental principle we must follow is not to jeopardize the security of our people and our country.

The U.S. nuclear deterrent has prevented a worldwide conflagration for over 40 years. As former Secretary of Defense Caspar Weinberger said yesterday in the hearings, that effective deterrence depends entirely on the assurance that our nuclear arsenal will work when it needs to work. It is a huge issue, a huge question. The safety and reliability of the nuclear arsenal, therefore, must be maintained above all.

We might be able to do that with computers and other means, other than testing. That may well be feasible. But I want to be assured a lot more than I am now that, in fact, can be done without jeopardizing the security of the United States.

We heard much about intelligence reports in all three committees that held hearings this week. The administration says those intelligence reports are not yet complete. Why are we rushing to a vote when we do not have all the intelligence, when we do not have all the information? Why is there this arbitrary test timeline that we must have a vote?

What about the next administration? There will be a new administration, Democrat or Republican. I read this morning Donald Trump is interested in a Trump administration. There may be a Jesse Ventura administration, I say to Senator BIDEN. We do not know.

Mr. BIDEN. Will the Senator yield?

Mr. HAGEL. Certainly.

Mr. BIDEN. Never mind; I withdraw it.

Mr. HAGEL. I suspect his contribution would not be relevant to the debate. The very serious fact is, we will have a new administration.

Is this treaty, essentially born 50 years ago from Eisenhower forward, relevant to the challenges of today?

Is it relevant to the new challenges of this next new century, the new challenges that this new administration, this new President will have to deal with? Are we boxing in this new administration? Shouldn't this new administration coming in, in January 2001, have an opportunity to review arms control, look at what those needs are, what is relevant?

The world has changed. It has changed in 10 years. The world used to be rather simple when we took this issue up 50 years ago, 20 years ago, 10 years ago: Two superpowers, the Soviets, the Americans; they were the ones with the nukes. Therefore, we created a structure, a protocol, a treaty that dealt with that. That has changed.

I strongly urge the President of the United States, as I did the other night—telling him directly, and my leader and the Democratic leader, and all of my colleagues—to not allow us to get into a box we cannot get out of and take a vote on Tuesday. It is irresponsible. It will surely go down. There will be consequences for that vote. It is the wrong thing to do for America. It is not responsible governance.

What do we do? Why not continue to hold hearings on this very important issue, take this down to as many levels as we need, get the answers? Maybe we have to restructure; I don't know. But the way it is now, we are not prepared to vote. Why not inform the American public? Why not allow the American public to understand what we are doing? Why not allow all of our Senators to understand a little bit more than we do now about this issue?

The tough questions must be asked, the consequences played out. We must not allow ourselves to get trapped again in a timeline.

I heard this morning, Why not take a vote right after the election next year? That is interesting. Why not float it out? Why not do this up or down? But why force an artificial timeline? If the political environment is not right to have an honest, open, legitimate debate, it is not right. That is a fact of life. But do not rush something that is going to have dire consequences for the future of the world to satisfy some political dynamic or someone's interest in driving a timeline or driving a political determination. That is irresponsible.

Regrettably, I must say to my colleagues, if that vote is held on Tuesday, I will have to vote against this treaty. That will be regrettable because I would like to have more time to ask more questions, to understand what we are doing, because I, as do all my colleagues, take this responsibility very seriously. I say again, this vote, if it does come Tuesday or next year or in 2001, may in fact be the most critical vote any of us ever cast.

With that, I yield the floor.

Mr. MOYNIHAN. Mr. President, would the Senator yield for a question?

Mr. HAGEL. I surely will, I say to the Senator.

Mr. MOYNIHAN. Do I take it, from what the Senator so ably set forth about his concerns on both sides, that he would be receptive to a proposal to put off this vote?

Mr. HAGEL. That is correct, I say to the Senator. I think it is a wise course of action. I so informed the President the other night at the White House. I so informed my colleagues. I again say, as I did, if I have to vote Tuesday, I will vote against it. That will be regrettable because I believe arms control, the focused management of nuclear proliferation, is a responsibility this country has had.

We have taken the lead position on that for 50 years. I am proud of that. You are proud of that. To box ourselves in, surely knowing the impending defeat, I think would be a catastrophe for our leadership in the world.

Mr. MOYNIHAN. I agree ''catastrophic'' is not too strong a term. And the Senator would be receptive to postponing a foregone catastrophe on Tuesday?

Mr. HAGEL. I would, sir.

Mr. MOYNIHAN. I thank the Senator.

Mr. KYL. I yield 15 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 15 minutes.

Mr. INHOFE. I thank the Chair and thank the Senator from Arizona for giving me this valuable time because we do not have a lot of time.

First of all, let me say I respect the Senator from Nebraska so much, and yet I have to disagree with him. I respect certainly the senior Senator from New York as well as the Senator from Delaware. But the reason I disagree with them is, it is not as if this came up all of a sudden and we did not have any time to look at it. This treaty has been here for 2 years. We could read it. We could study it. We could prepare amendments. We could spend time evaluating it, talk to the experts. I have been doing this. I assume many of my colleagues have been doing this.

So procedurally let me just explain, so there is no misunderstanding where we are, what my position is.

We had a unanimous-consent request propounded—it was agreed to a few days ago—that said we were going to have possibly up to two amendments, not necessarily, but if we did, it would be 4 hours of debate equally divided. Then we would have a vote on the treaty. There would be 14 hours of debate, which we are in the process of having right now.

This was done by unanimous consent. That means any one of these Senators we have been listening to this morning could have objected to that unanimous-consent request. Certainly, the senior Senator from New York could have done it, the Senator from Nebraska, the Senator from Delaware. Anyone could have done it. Only one Senator has said he would not have done it if he had been on the floor or if he had been aware of it. That was the Senator from West Virginia, Mr. BYRD.

That is the way the Senate is run. It is run by unanimous consent. So anyone could have stopped it. And they did not do it. But they could have.

It takes unanimous consent to vitiate that unanimous consent agreement. If this happens, I made an announcement yesterday and the day before, sitting on the Armed Services Committee—with such distinguished witnesses as our Secretary of Defense, Bill Cohen; as General Shelton, the Chairman of the Joint Chiefs of Staff; as the Directors of all the labs, all three of them—and I said in the event someone asks for a unanimous-consent agreement to delay this vote, I will object. I want everybody to know right now, I will object to that.

There may be some parliamentary maneuvering where they can figure out a way to get around my objection. If they do, I am sure it will have to be passed on by the Parliamentarian. And that might happen. I might lose this thing.

But we have been looking at this right now for over 2 years. Certainly we have had ample time to study it and digest it. It is not something that just jumped up. Any Senator, of 100 Senators, could have stopped the vote that is supposed to take place on Tuesday or Wednesday when the debate time expires. So let me just serve notice I will be here to object to that, so we get down to it. The reason is, we do not need to keep delaying and delaying this thing.

The President has been yelling for 2 years: Bring it up. Bring it up. We want to bring this up for a vote. Yet now that it is up and he knows—he suspects; he does not know—he suspects he does not have the votes for ratification, he wants to bring it back. So anyway, that is where we are today.

Let me just respond to a few of the comments that have been made on the floor. The distinguished Senator from Delaware talked about the distinguished list of supporters of this test ban treaty. I would like to submit for the RECORD a list of those who are opposed to the ratification of this treaty. They include six former Secretaries of Defense—Schlesinger, Cheney, Rumsfeld, Laird, Carlucci, Weinberger—and several former Directors of Central Intelligence; 13 generals, commanding generals, who are now retired.

In fact, I would suggest—I might be challenged on this so I will say probably most of the military officials who are supporting the ratification of this treaty now are serving in the capacity in which they are serving at the will of the President.

So I ask unanimous consent this distinguished list of some 33 leaders saying we should oppose and vote down this treaty be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PARTIAL LIST OF OPPONENTS OF CTBT

Jim Schlesinger (Former Secretary of Defense); Dick Cheney (Former Secretary of Defense); Don Rumsfeld (Former Secretary of Defense); Melvin Laird (Former Secretary of Defense); Frank Carlucci (Former Secretary of Defense); Caspar Weinberger (Former Secretary of Defense); Jim Woolsey (Former Director of Central Intelligence); Bob Dole; Governor George W. Bush; Elizabeth Dole; Judge William Clark (Reagan National Security Adviser); Richard Allen (Reagan National Security Advisor); Jeane Kirkpatrick (Former US Ambassador to the United Nations); William Graham (Reagan Science Adviser); Gen. Russ Dougherty, USAF (Former Commander, Strategic Air Command).

Gen, Louis Wilson (Former Commandant, US Marine Corps); Gen. Jim Johnson (Former Commanding General, 1st US Army); Gen. Albion Knight (Former Director, Atomic Energy Commission); Gen. Larry Skantze (Former Vice Chief of Staff, US Air Force); Gen. Tom Kelly (Former Director for Operations, Joint Chiefs of Staff); Gen. Jack Singlaub (Former Chief of Staff, US Forces in Korea); Gen. Mike Loh (Former Commander, Air Combat Command); Gen. Fred Kroesen (Former Commander, US Army in Europe); Gen. Don Starry (Former Commander, US Readiness Command); Gen. Milnor Roberts (Former Chief, US Army Reserve); Gen. Lewis Wagner (Former Commander, Army Materiel Command); Gen. Joseph Went (Former Assistant Commandant, US Marine Corps); Admiral Jerry Miller (Former Deputy Director, Strategic Planning Staff); Troy Wade (Former Assistant Secretary of Energy for Defense Programs); Edwin Meese (Former Attorney General); William Middendorf (Former Secretary of the Navy); Midge Decter (Former President, Free World Committee); Norman Podhoretz (Former Editor, Commentary Magazine).

Mr. INHOFE. Secondly, the Senator from Delaware is talking about our allies—I am very sensitive to our allies—and our allies have signed this treaty, so if our allies have signed this treaty, we have to do it.

Frankly, I am not concerned about our allies. I am concerned about our adversaries. I am not at all concerned that Great Britain is going to send a missile over to the United States. I am concerned about China and Russia and now North Korea. Right now, as we

speak, the President is sending money and making promises to North Korea so they will not test a missile they have called a Taepo Dong 2 that will reach Washington, DC, from anyplace in the world, take 35 minutes to get over here, and we do not have any defense against this thing. So those are the ones about whom I am concerned. Have they ratified this treaty? No, certainly not China, not Russia, not North Korea. North Korea hasn't even signed it. Those are the ones about whom I am concerned.

Thirdly, certification. Certification doesn't mean we have weapons we know will be operative at any point in the future. It merely says we don't know that they won't be; we don't know of any. We can certify we don't know of any problems. How can they know of problems, if they are not testing them? I think that is a very weak argument.

Lastly, I would like to address the reference made by the Senator from Delaware to Dr. Paul Robinson. He is the Director of the Sandia Laboratory. He is the one the Senator from Delaware talked about as being, apparently, a credible source, or he would not have mentioned his name in his opening statement. Dr. Robinson says:

> We know today that a test ban cannot prevent states from acquiring nuclear weapons if they are determined to do so. Credible nuclear weapons can be constructed without nuclear testing, as several nations, including South Africa, have demonstrated. The underground nuclear tests by India and Pakistan in 1998 are another example. These events were not developmental tests. They were demonstrations of nuclear capability that had been developed much earlier with little or no testing.
>
> Those who claim that by ending nuclear testing we will close off the threat of terrorist development and use of nuclear explosives mislead themselves. Congress should not accept such arguments as a basis for endorsing the test ban.

Further, Dr. Paul Robinson said:

> It is indeed correct that the United States would be ill-advised to place a sophisticated nuclear explosive design into the stockpile that had not been previously tested and validated. There is no question that actual testing of designs to confirm their performance is the desired regimen of any high technology device, from cars and airplanes to medical equipment and computers. For a device as highly consequential as a nuclear weapon, testing of the complete system, both when it is first developed and periodically throughout its lifetime to ensure that aging effects do not invalidate its performance, is also the preferred methodology. I and others who are or have been responsible for the safety and reliability of the United States stockpile for nuclear weapons have testified to this obvious conclusion many times in the past. To forgo that validation through testing is, in short, to live with uncertainty.

I don't want to live with uncertainty. There is no way of knowing that we have a nuclear deterrent if we have to live with uncertainty.

There is no one I respect more highly than Secretary Bill Cohen, our Secretary of Defense. I served with him on the Armed Services Committee of the Senate, and he is certainly a most knowledgeable individual. I do have to say this: He has certainly changed his story since he was in the Senate. I am going to quote what Secretary Cohen said in 1992, when at that time he was the most vigorous opponent of a ban on nuclear testing we had in the Senate. This is Secretary Bill Cohen when he was a Senator:

> Many of these nuclear weapons which we intend to keep in our stockpile for the indefinite future are dangerously unsafe. Equally relevant is the fact that we can make these weapons much safer if limited testing is allowed to be conducted. So when crafting our policy regarding nuclear testing, this should be our principal objective—to make the weapons we retain safe. The amendment that was adopted last week [speaking of 1992] does not meet this test, because it would not permit the Department of Energy to conduct the necessary testing to make our weapons safe.

When I asked that question, there was some suggestion that maybe we are talking about different weapons. We are not talking about different weapons. These are the nine weapons we are talking about today. These same nine weapons were there in 1992, the same ones to which Secretary Cohen alluded.

This chart tells us that there are five tests for safety features. These are the five tests. The most significant ones are the intensive high explosive and the fire resistance pit. That is to make sure they don't inadvertently explode during use or during storage; the same with the fire. If we look right here, we see that only one of these weapons—that is the W84—has any type of safety. I guess all five of the hazards are listed. The W62 has none. So this was true in 1992. It is true again today.

Some people have said, well, in the worst-case scenario, if something happens to the safety of this thing, we have a way of getting out of this thing. It is called safeguard F. Safeguard F is one sentence in the treaty. That sentence says that there is a way out in the event that it becomes a supreme national interest to get out. So that would be interpreted by our Commander in Chief or President, whoever is President at that time. I have often said—I don't think anyone is going to refute it—that we have a President who has a very difficult time telling the truth. Let us assume he is telling the truth. This is what he said his interpretation would be in his application of safeguard F: In the event that I were informed by the Secretary of Defense, the Secretary of Energy, advised by the Nuclear Weapons Council, the directors of the Energy Department's nuclear weapons labs and the commander of the U.S. Strategic Command that a high level of confidence in the safety or reliability of a nuclear weapons type, which the two Secretaries consider to be critical to our nuclear deterrent, could no longer be certified, I would be prepared, in consultation with Congress, to exercise the supreme national interest under the CTBT in order to conduct whatever testing might be required.

He is saying, even if these five people; that is, everyone who has anything to do with or any knowledge of these nuclear weapons, even if all of them insist on it, he didn't say he would do it. He said he would be prepared to do it. That is a very weak statement. It doesn't mean he would do it at all. I don't find any comfort at all in what he stated.

Coming close to the end of my time, let me share a couple other thoughts about which I do have strong feelings. We had all three Directors of our three labs before our committee yesterday. All three of them testified that we have to test these nuclear weapons in order to make sure they will continue to work if called upon. These are the ones who are responsible for doing that. Verification has to be talked about.

It is kind of interesting. I will read an article that was in the paper a couple of days ago. It was an article in the Washington Post by Robert Suro, entitled ''CIA Unable to Precisely Track Testing.'' This was last Sunday, I believe, talking about something that might have occurred on Saturday, less than a week ago right now. Again, it was entitled ''CIA Unable to Precisely Track Testing.'' Among the troubling facts uncovered:

> According to senior officials, the CIA has concluded that it cannot monitor low-level nuclear tests by Russia precisely enough to ensure compliance with the CTBT. . . . Twice last month, the Russians carried out what might have been nuclear explosions at its Novaya Zemlya testing site in the Arctic. The CIA found that the data from the seismic sensors and other monitoring equipment were insufficient to allow analysts to reach a firm conclusion about the nature of the events.

Having read that and then having had Gen. Henry Shelton and Secretary Cohen on the same panel, I asked them the question: Can you sit here and tell us that the Russians did not conduct those tests just a few months ago referred to in the article in last Sunday's Washington Post? They said: No, we can't.

We asked the same question of the Directors of the lab. They said: No, there is no way of knowing it.

Verification has always been a real serious problem with me.

Mr. President, I ask for 5 more minutes. I think that will be acceptable. The time I am asking for is from our side.

Mr. KYL. How much time does the Senator wish?

Mr. INHOFE. About 4 minutes should be enough.

Mr. KYL. I ask that the Senator from Oklahoma conclude his remarks in 4

minutes, after which the time would go to that side.

Mrs. HUTCHISON. Mr. President, parliamentary inquiry. I wonder what the other timetable is. I have a flight I have to catch at 12:15. Is there a short time that would be available to me soon?

Mr. BIDEN. Mr. President, we have been alternating. We have had two Republicans, and the Senator from Michigan needs additional time.

Mr. LEVIN. If it is all right with the others in line, that is all right with me.

Mr. BIDEN. If the Senator is brief, we will be happy to yield to you. That will have been three Republicans in a row, but to accommodate, we are happy to do that.

Mr. LEVIN. Mr. President, after the Senator from Texas goes ahead of us—which is fine if she has to catch a flight—could there be two Democrats at that point?

Mr. KYL. Mr. President, I have no objection to that. Senator ALLARD is waiting. Unfortunately, about three people have gone ahead of him. He has also presided. Maybe he can have some time.

Mr. ALLARD. I would not want to lose my time. I have an appointment I need to attend, so I hope I can get out of here by 1:30.

Mr. KYL. Mr. President, after their two speakers, Senator ALLARD will be next.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 4 minutes.

Mr. INHOFE. I will conclude in less time than that. I want to accommodate the wishes of others who want to be heard.

As I look at this, if we allow ourselves to be put in a situation where we do not know whether we have a nuclear deterrent, that is nothing short of unilateral disarmament. I know there are differing philosophies around here. I believe in the White House they honestly believe that if we all stand in a circle and hold hands and disarm, everybody is going to be happy. But I am not at all satisfied with that. I believe we need to have a nuclear deterrent.

Right now, we are faced with a situation where, because of the vetoes of this President, we don't have a national missile defense system. That is to say, if they should deploy one of these missiles from North Korea, China, or Russia, which takes 35 minutes to get here, we have no way of knocking it down. We would be dependent upon a nuclear stockpile to have something to send back that is more significant. And not knowing whether or not those weapons would work would be worse than knowing they would not work.

So the time is here to do it. I have applied this to my ''wife test,'' which I often apply to things. I asked, ''Can we take a chance on not being able to fire missiles?'' She agrees with me, and she is never wrong.

Seeing the junior Senator from Texas, I recall something the senior Senator from Texas has said many times, which I think is very appropriate to quote at this time:

> We have to remain strong. We all wish for the day and hope for the day when the lion and the lamb can lie down together. But when that day comes, I want to make sure we are the lion.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I thank my colleagues across the aisle for allowing me to go forward.

This is such an important debate. It is an important issue for our country but also for the world. There is no question the cold war ended with communism in full retreat and democracy on the rise throughout the world largely because the United States maintained an awesome military capability that deterred war.

No American should forget that our stockpile of safe and reliable nuclear weapons has deterred nuclear conflict for these past 50 years. When Saddam Hussein threatened to use weapons of mass destruction prior to Desert Storm, it was the certain knowledge that the United States would respond overwhelmingly that prevented Saddam Hussein from unleashing his own chemical and biological weapons.

This is a question of whether or not we, as a nation, intend to maintain our nuclear deterrent capability—so vitally important to us over the last 50 years in maintaining peace in the world—or if we intend to unilaterally disarm. Make no mistake, that is the question before us.

Our founders purposely made it hard to enter into treaties and required a two-thirds majority in the Senate for ratification. Thomas Jefferson wrote, ''We had better have no treaty than a bad one.''

I am afraid this test ban treaty is a bad one and it would be better not to have it. A treaty is permanent. It requires great vision and caution. Ratification of this test ban treaty would ultimately endanger our national security. I hope our citizens are paying close and careful attention.

There are really two questions before us: First, if we ratify this treaty, will the United States be able to maintain a safe, reliable, and credible nuclear capability? Second, will we be able to verify that this treaty is being enforced by other countries that have joined us? Unless both questions can be answered ''yes,'' then we cannot possibly ratify this treaty.

On the issue of reliability, nuclear tests are the only proven method to assure confidence in the reliability and safety of our nuclear weapons. We have heard testimony to this effect from scientists and other experts. They worry that as we make advances in material science and component technology for these very complex weapons, the inability to test these advances through actual detonations will leave us with doubt about whether they will work if used.

This treaty prohibits all nuclear tests, even of the lowest yield. The new diagnostic tools are still unbuilt and unproven. Scientists admit with humility that actual tests have often radically altered their chalkboard theories drawn out in the laboratory. At this point, anything short of testing is not sufficient to assure reliability and safety. Reliability of our weapons means they will work as intended. So it is clear that reliability is key to our national strategy.

My second concern is that once the United States ratifies this treaty, we will stop testing our weapons because we abide by treaties, but rogue nations will not. Several countries that signed the Nuclear Non-Proliferation Treaty, agreeing not to produce nuclear weapons, violated the treaty. They built the nuclear weapons anyway. Now we are expecting them to sign this treaty and agree not to test.

I agree with Dr. Kathleen Bailey of Lawrence Livermore Labs, who noted in testimony before the Armed Services Committee that this treaty expects nations to ''agree not to test weapons they previously agreed not to acquire.''

The Secretary of Defense has acknowledged in his own testimony that ''we would not be able to detect every evasively conducted test.''

In fact, I pursued this direct line of questioning with former Chairman of the Joint Chiefs of Staff, John Shalikashvili, in Defense appropriations hearings on March 5, 1997. He was the Joint Chiefs Chairman at the time, and he did his best. But even then, he could not say he would guarantee the safety.

General Shalikashvili said, ''With each year that goes by and we are further and further away from having done the last test, it will become more and more difficult. That is why it is very important that we do not allow the energy budget to slip, but continue working on this science-based stockpile verification program and that we get this thing operating. But even then, Senator, we won't know whether that will be sufficient not to have to test. What we are talking about is the best judgment by scientists that they will be able to determine the reliability through these technical methods.''

I then asked him, ''Do you think we should have some time at which we would do some testing just to see if all of these great assumptions are, in fact, true?''

General Shalikashvili responded, ''I don't know. I won't pretend to understand the physics of this enough. But I

did meet with the nuclear laboratory directors and we talked about it at great length. They are all convinced that you can do that. But when I ask them for a guarantee, they cannot give it to you until all of the pieces are stood up.''

He continued, ''Obviously if we stand it up and we cannot do that, then we will have to back the President and say we will have to test. Hopefully it will work out. But we are still a number of years away before we will have that put together so that we can tell you for sure it will not work or it will.''

I said, ''Well, mark one Senator down as skeptical.''

General Shalikashvili responded, ''Mark one Chairman of the Joint Chiefs of Staff joining in that skepticism. I just don't know.''

Mr. President, ''just don't know'' is being unsure. Close is not good enough. It is not good enough when you are talking about a permanent treaty and when it comes to nuclear safety.

The recent letter to the majority and minority leaders from six former Secretaries of Defense of both parties was even more chilling. This letter from six former Secretaries of Defense from both parties:

> As the Senate weighs whether to approve the Comprehensive Test Ban Treaty (CTBT), we believe Senators will be obliged to focus on one dominant, inescapable result were it to be ratified: over the decades ahead, confidence in the reliability of our nuclear weapons stockpile would inevitably decline, thereby reducing the credibility of America's nuclear deterrent.

They go on to say:

> The nuclear weapons in our nation's arsenal are sophisticated devices, whose thousands of components must function together with split-second timing and scant margin for error. A nuclear weapon contains radioactive material, which in itself decays, and also changes the properties of other materials within the weapon. Over time, the components of our weapons corrode and deteriorate, and we lack experience predicting the effects of such aging on the safety and reliability of the weapons. The shelf life of U.S. nuclear weapons was expected to be some 20 years. In the past, the constant process of replacement and testing of new designs gave some assurance that weapons in the arsenal would be both new and reliable. But under the CTBT, we would be vulnerable to the effects of aging because we could not test ''fixes'' of problems with existing warheads.

I think it is clear from the experts, from former Secretaries of Defense and from former Chairmen of the Joint Chiefs that they cannot give us a guarantee.

We are talking about nuclear safety. We are talking about the major tool we have for deterrence. We are talking about the security of the United States of America, and we have a treaty before us that is permanent.

How could we go forward with a treaty such as this with these kinds of questions? Close is not good enough when we are talking about permanence, and when we are talking about our own national security.

In fact, when it came to a test-ban treaty, President Reagan and other Cold War Presidents supported a ban only on high-yield nuclear tests. These tests would be of sufficient explosive power to be detected and identified by the sophisticated equipment designed to monitor underground explosions.

Under that proposal, lower yield tests would be permitted, to help ensure that our weapons were reliable. It makes sense not to ban low-yield tests because they're too small to detect and identify with the monitoring equipment. That was a sensible approach that has unfortunately been discarded by the Clinton Administration.

In fact, just last month, it appears the Russians may have conducted low-level nuclear tests at an Arctic test site. I say ''may have'' because the Central Intelligence Agency has concluded that seismic sensors and other monitoring equipment simply can not provide the data needed to know for sure.

Supporters of the treaty say it will result in a more extensive monitoring program, including inspections by experts. But a more extensive inspection system is not going to increase our capability to detect violations in advance. And having the right to request on-site inspections of test facilities doesn't give any added assurance of verification either. Let's face it: We've had that right in Iraq for the last eight years, and it's not worth the paper it's printed on.

Look at recent events in North Korea as an example of this Administration's policy of buying compliance with treaties and agreements. That policy has actually promoted nuclear and missile proliferation.

When the administration became convinced North Korea was building a nuclear device, in violation of their commitments under the Nuclear Non-Proliferation Treaty, it threatened a variety of sanctions.

The North Koreans responded that sanctions were tantamount to a declaration of war and soon we were at the negotiating table with this rogue nation. Prior to their possession of a nuclear weapon, it had been a tenet of our foreign policy for over 40 years that the United States would not negotiate directly with the North Koreans without our South Korean allies at the table.

However, once it became clear that North Korea was trying to enter the nuclear club, we began to negotiate. We set a lavish buffet of incentives—cash transfers, fuel, helping them build safer nuclear reactors. This began a dangerous cycle in which the North Koreans threaten to act badly and we bribe them not to.

After that pattern, despite our warnings and threats, Pakistan soon thereafter tested a nuclear weapon and claimed membership in the nuclear club.

As former Majority Leader Bob Dole has pointed out, ''We refer to states as rogue regimes because they regularly violate international law and refuse to be held accountable to international norms. The best way to deal with them is to deter them.''

This treaty will not end nuclear testing. A ''feel good treaty'' doesn't make the world a safer place. The world is safer only when America is strong. A critical element of our military strength is a credible nuclear capability. This treaty will not result in a nuclear weapons free world. It will only result in a nuclear weapons free America, and that would be a much more dangerous world.

I urge my colleagues not to go forward with this treaty that we will have to abide by, on a permanent basis, not knowing if we will be able to keep our arsenal up to date and safe. This is a chance we cannot afford to take as the stewards of the national defense of our country.

I urge my colleagues to vote no on this treaty if it does come forward.

Once again, Mr. President, I thank Senator ALLARD from Colorado, Senator LEVIN, Senator DORGAN, and all who have allowed me to speak.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank the Chair.

I wish to begin also by thanking the chairman of the Senate Armed Services Committee, Senator WARNER, for holding 3 days of hearings on the Comprehensive Nuclear Test-Ban Treaty. These hearings were well balanced and very informative. They were also very much overdue. But at least we have begun the process of exploring this treaty.

What do we know after 3 days of those hearings?

We know the best professional judgment of our senior military leaders is that the Comprehensive Nuclear Test-Ban Treaty is in our Nation's national security interest. The best professional judgment of our senior military leaders, civilian and uniform, is that we are better off with this treaty than without it. We know after these hearings that the Comprehensive Test Ban Treaty will make it harder and more expensive for other countries to maintain existing stockpiles. We know the treaty would make it harder and more expensive for nations that do not yet have nuclear weapons to develop and deploy those weapons. We know that the treaty, as all treaties, is not perfectly verifiable. But we also know that tests conducted below our level of detection would not militarily disadvantage the United States.

That doesn't come from me, although I believe it. It comes from our senior military leaders.

We know that our overall monitoring and verification capabilities are very capable today and will improve with the entry into force of the treaty. We know, despite a 7-year moratorium on nuclear testing, that the U.S. nuclear stockpile remains safe and reliable today. We haven't tested in 7 years. We have relied on our Stockpile Stewardship Program. That program is up and running. We rely on it every year for a certification that our stockpile is safe and reliable.

This isn't some future concept that is being discussed. It is a Stockpile Stewardship Program that is, of course, not finished. It may never be finished. But it has made significant progress. We rely on it. We have invested billions in it. And our lab Directors have said three times, based on a Stockpile Stewardship Program that we now have up and running, that our nuclear inventory is safe and reliable. Without that stewardship program, they cannot make those certifications now on which we so heavily rely.

So the Stockpile Stewardship Program is already serving as a basis for certifying safety and reliability of this stockpile. We also know that its capabilities will improve substantially in the future, but that if at any point in the future the Stockpile Stewardship Program is not adequate to certify the safety and reliability of our stockpile at that point under the guarantees that are in the letter from the President—and that we will write into the ratification resolution—then the United States will exercise its supreme national interest clause and begin testing again.

We have informed every signatory that is what we will have the right to do. We have put all the parties on notice as to what our supreme national interest is. We have said that if we can't certificate safety and reliability without testing—and we believe that we can do it without testing—we will then return to testing.

We also know there is no military requirement for the United States to resume testing at the present time and there are no plans to resume testing with or without a Comprehensive Nuclear Test-Ban Treaty.

Most important of all, we know that if we do not ratify this treaty, we will miss an opportunity, which is a historic opportunity, to stem the tide of nuclear proliferation, and we will instead be encouraging a new and possibly worldwide nuclear arms race.

Prohibition of nuclear weapons tests have been the goal of Presidents since President Eisenhower. It was President Eisenhower who said almost 40 years ago that not achieving a nuclear test ban, in his words, ''would have to be classed as the greatest disappointment of any administration of any decade of any time and of any party.''

The whole world, including nuclear weapons powers and countries that might want to become nuclear weapons powers, will be watching what the Senate does with this treaty. Our action is going to affect the willingness of other nations to ratify the treaty and our ability to persuade other nations to refrain from future nuclear testing. Rejection of this treaty will have a profound negative impact on the battle against proliferation of nuclear weapons.

We urge other countries—particularly, most recently India and Pakistan—to give up nuclear testing, to sign this treaty. India and Pakistan test weapons and we say: Stop it for your sake, for the world's sake. It is a road you should no longer walk. It is a road which could lead to your mutual total destruction and could spread to other parts of the world.

We make those pleas to India, Pakistan, and other countries. How in the world can we expect other countries to refrain from nuclear testing if we are unwilling to do so? How will we have any standing to ask India, Pakistan, China, and other countries to stop nuclear testing for the sake of the world, for the sake of our kids, and their kids? How would we have the gall to ask other countries to refrain from testing if we, ourselves, are unwilling to do so?

Our Secretary of Defense, our Joint Chiefs, four former chairmen of the Joint Chiefs—including General Shalikashvili, General Powell, Admiral Crowe, General Jones—have reviewed this treaty and have told the Senate Armed Services Committee that they also support this test ban treaty. General Shalikashvili's name was brought in by the Senator from Texas. I want to read what General Shalikashvili said this week. We heard what he said 2 years ago; now let's see what he says today. By the way, it is even stronger than where he was leading 2 years ago.

> In short, the chief and I have supported this treaty, together with the safeguards package, because it answered our military concerns and because our country is better off with this treaty than it is without it.

That is General Shalikashvili putting in a nutshell what the issue is: Is this country better off with or without this treaty? His answer is, it is.

General Shelton, who is the current Chairman of our Joint Chiefs, testified as follows before our committee:

> This treaty will help limit the development of more advanced and destructive weapons and inhibit the ability of more countries to acquire nuclear weapons. It is true that the treaty cannot prevent proliferation or reduce current inventory, but it can restrict nuclear weapons progress and reduce the risk of proliferation.

In short, our top uniform military official says the world will be a safer place with the treaty than without it, and it is in our national security interests to ratify the treaty.

Secretary Cohen, at the same hearings this week, testified that the treaty would restrain other nations from creating and building nuclear arsenals. He said:

> By banning nuclear explosive testing, the treaty removes a key tool that a proliferator would need in order to acquire high confidence in its nuclear weapons design. Further, the treaty helps make it more difficult for Russia, China, India and Pakistan to improve existing types of nuclear weapons and to develop advanced new types of nuclear weapons. In this way, the treaty contributes to the reduction of the global nuclear threat. Thus, while the treaty cannot prevent proliferation or reduce the current nuclear threat, it can make more difficult the development of advanced new types of nuclear weapons and thereby help cap the nuclear threat.

Opponents of ratification have raised two major arguments. They contend other nations could cheat because a low-yield nuclear test might not be picked up by our sensors; and second, we need to conduct nuclear tests in order to maintain the safety and reliability of our nuclear stockpile.

General Shelton and Secretary Cohen, on the basis of current intelligence information, have said that we would be able to detect any militarily significant level of nuclear testing. Secretary Cohen explained the conclusion this way:

> Is it possible for States to cheat on the treaty without being detected? The answer is, yes. We would not be able to detect every evasively conducted nuclear test, and from a national security perspective we do not need to.

This is his conclusion.

Secretary Cohen said:

> I believe that the United States will be able to detect a level of testing, the yield and the number of tests by which a state could undermine the U.S. nuclear deterrent.

General Shelton also pointed out that the treaty, if it comes into effect, will increase our ability to observe and monitor tests because it will create an international monitoring system of over 300 monitoring stations in 90 countries.

Some refer to information developed by the intelligence community over the last 18 months. I specifically asked the Chairman of the Joint Chiefs and the Secretary of Defense whether or not their testimony, their opinion, includes consideration of all of the intelligence community's information that has been gathered in the last 18 months and before.

Secretary Cohen states:

> I have been apprised of all the developments. I am not aware of any information at this point that would call into question our ability to maintain our strong nuclear deterrent, that any balance has shifted or would call into question our ability to defend ourselves.

With regard to the safety of the stockpile, it is now safe, it is certified as safe, even though we have done no testing since 1992.

The answer of the heads of our laboratories—when I directly asked them this question: Are you signed on to this treaty?—was:

Yes, provided the safeguards are written into the ratification resolution and providing there is robust funding of our safeguards and our stockpile security program.

The lab Directors are, in the words of one of them, ''on board'' under those conditions and those conditions now exist.

My friend from Virginia apparently has a question, and I yield.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Virginia.

Mr. WARNER. Earlier, my distinguished colleague referred to General Powell. I have had the opportunity to be counseling with General Powell, soliciting his views, and he has been soliciting mine for some several days. He just telephoned me because he is watching this debate. He authorized me to say the following, that in view of the mounting conflicting testimony—primarily before the Senate Armed Services Committee in the course of the three hearings which my colleague is now addressing and I shall address at some point here—in view of the mounting conflict of testimony, particularly as it relates to the credibility of this deterrent and, indeed, safety issues—we need only look at the testimony by the lab Directors yesterday—he has authorized me to say at this time he joins those who recommended the delay of final consideration of the treaty at this point in time.

That should be clearly understood. He feels it should not be killed because he thinks, hopefully, if it is modified in certain ways, that it can be another brick in our walkway leading towards nonproliferation and stronger arms control regimes. However, at this time, he wishes to be on record as saying the Senate should not act and should not act because of the mounting conflicting testimony on the key essential elements that he and other uniformed officers—I addressed this earlier in the safeguards provision and likewise, which says at some point in time a President could withdraw from this treaty because of information brought to his attention.

So that is an important part of the treaty. It is under the ''supreme'' clause, which is in all of our treaties, but it is amplified. So I just wanted to correct the record.

Mr. LEVIN. You are not correcting the record at all. You are amplifying the record, if I may say to my good friend from Virginia.

Mr. WARNER. You said he supported the treaty but at this point in time——

Mr. LEVIN. I said he supported the treaty; and I am glad to hear he supports delay in the vote, and I hope our colleagues will listen to both of his statements, both that we should not now vote on this treaty—because he is correct for many reasons—and also I hope they will listen to his statement of January 27, 1998, when he, along with General Shalikashvili, former Chairman Crowe, and former Chairman Jones said the following:

On September 22, 1997, President Clinton submitted the Comprehensive Nuclear Test Ban (CTB) Treaty to the United States Senate for its advice and consent, together with six Safeguards that define the conditions under which the United States will enter into this Treaty. These Safeguards will strengthen our commitments in the areas of intelligence, monitoring and verification, stockpile stewardship, maintenance of our nuclear laboratories, and test readiness. They also specify the circumstances under which the President would be prepared, in consultation with Congress, to exercise our supreme national interest rights under the CTB to conduct necessary testing if the safety or reliability of our nuclear deterrent could no longer be certified.

This is his conclusion, General Powell, on January 27, 1998:

With these Safeguards, we support Senate approval of the CTB Treaty.

Those are his words. I am glad to have this printed in the RECORD and I am happy to hear at this point, at least, General Powell does support the delay in the vote. I think that is a wiser course to take for three reasons, and I will conclude with those reasons.

Mr. WARNER. The reasons he gave me are in view of the conflicting testimony that has evolved since the point in time at which he made that statement. That is the predicate on which he now thinks the vote should be delayed.

Mr. LEVIN. There are at least three predicates I would support for delaying this treaty. I am glad to hear he reaches the same conclusion for whatever reason he wants to give now.

Mr. WARNER. They are very important reasons, Mr. President.

Mr. LEVIN. I am not going to comment on his reasons. I am delighted he reached the conclusion he did. I disagree with his reasoning as to how he reached his conclusion because I think the evidence is overwhelming, and the testimony, if anything, has grown stronger. In fact, one of the arguments against this treaty is that we need somehow to defeat it in order to protect our allies; that they are relying on our deterrent—which, of course, they are—that somehow or other our allies would be disadvantaged if we ratified this treaty.

Yet three key allies have taken an unusual step. I do not remember when this has ever happened, when the heads of three states closely allied with us have urged this Senate directly to ratify a treaty. Yet that is what they are now doing.

We have heard arguments for the last few days: Look how important our strategic deterrent is, not just to us, which it is, but to our allies, which it has been and will continue to be.

What does President Chirac say and what does Prime Minister Blair say and what does Chancellor Schroeder say? They say: We need this treaty, Senate. They are directly addressing the U.S. Senate. I do not remember that ever happening.

Mr. MOYNIHAN. Never.

Mr. LEVIN. Directly, directly asking the U.S. Senate to ratify the comprehensive test ban.

What do they say:

Rejection of the treaty in the Senate would remove the pressure from other states still hesitating about whether to ratify it. Rejection would give great encouragement to proliferators. Rejection would also expose a fundamental divergence within NATO.

The United States and its allies [they say] have worked side by side for a Comprehensive Test Ban Treaty since the days of President Eisenhower. This goal is now within our grasp. Our security is involved as well as America's. For the security of the world we will leave to our children, we urge the U.S. Senate to ratify the treaty.

So much for the argument that somehow or other defeating this treaty is not only good for us but it is good for our allies. Not in their view, it is not. Not in my view, it is not. And I hope not in the view of the majority of this Senate.

But I want to go back to the delay, and I am going to wind up because I do happen to agree, we should not vote on this treaty at this time—for a number of reasons.

First of all, because it would be tragic to reject this treaty, and if it comes to a vote now, it is going to be rejected. It would be tragic for our security—that is our top military leaders saying that, and I feel that keenly. It would be tragic for the world for us to defeat this treaty. It would reverse the direction in which we are heading, which is an ongoing effort to try to reduce the threat of proliferation of nuclear weapons. That effort, which I hope all of us share, will be damaged severely if we reject this treaty. And because we will reject this treaty if it comes to a vote, I think we should delay it.

No. 2, this treaty should not be involved in any way in Presidential politics, partisan politics, political meanderings, conflicts. We ought to be looking at this treaty based on its merits without this political environment being heeded. We cannot and are not doing that at this moment. It is a good reason to delay this treaty.

We delayed the Chemical Weapons Convention. The reason we delayed our vote, even though it was scheduled—and I tell my good friend who is presiding, even though we had actually scheduled a vote on the Chemical Weapons Convention, by unanimous consent I believe, too—when Senator Dole came out against that Chemical Weapons Convention shortly before we were voting, and while he was running for President, we decided as a Senate we would delay that vote until after that Presidential election.

We then, taking calm deliberation, adding conditions, reservations—we

then ratified that treaty. We took the time to do it. In fact, we spent a lot of time in the Old Senate Chamber, as I remember, as part of that deliberation. We should do that here.

The third reason we should not proceed to vote at this time is that we as a Senate have a responsibility to deliberate on a treaty. We put ourselves in a position, through a unanimous consent agreement, where we could not do that adequately. I think that was a mistake. But we do not have to compound our mistakes and make a worse mistake by voting on it just because we agreed to a unanimous consent agreement that we would begin the debate on it. That does not force us to proceed to vote on that treaty.

We have done some good with this unanimous consent agreement already, although I believe, looking back, it was a mistake to constrain ourselves as we did—that we could not add amendments other than one on each side, could not add reservations, could not add conditions, and so forth. What we have done as an institution is to put ourselves in a straitjacket with this unanimous consent reservation, which is not in keeping with the great traditions of the Senate. Senator BYRD, Senator MOYNIHAN, and others made that point. I think they made it eloquently. I keenly believe it. We have a responsibility here to deliberate on a treaty, to be open to considering conditions, qualifications, reservations, statements—to complete our committee work.

My good friend from Virginia knows—in fact he was the one, I think, who brought this out—we are currently in the middle of receiving a national intelligence estimate which is not yet completed. We should see that completed. We should have whatever hearings are needed.

By the way, we should have a committee report. I cannot remember a treaty which has ever come to the floor of the Senate—at least of this magnitude—without a committee report. On the Chemical Weapons Convention, we had a committee report of 350 pages for consideration by this body. We do not have one page from any of the committees.

So it seems to me it makes the most sense for us, under these circumstances—I am going to be perfectly candid; one of the reasons that compels me is that I believe if we voted now, this would be defeated. I think that would be a tragic setback in the fight against proliferation. But there are other very important institutional reasons, which I hope will appeal to others, that we should not ever as a body put ourselves in a position where we need to vote, or have to vote, on something which is not ready to be voted on.

Mr. WARNER. Mr. President, if the Senator will yield on our time. The distinguished ranking member of the Armed Services Committee and I, the distinguished ranking member of the Foreign Relations and Senator MOYNIHAN—a group of us are trying to work on a framework for the purpose of our two respective leaders, and, indeed, the President is involved.

Yesterday, in the course of our hearings, I addressed my concern—I support the delay of the final consideration, as now under the UC, but I am also very concerned that whenever the Senate resumes consideration of this treaty it be done in a time period after careful records have been created on this treaty and questions that concern General Powell about the conflict of testimony have been resolved to the best of our ability, and that it not be done under the dynamics of the U.S. constitutional process of electing a President and the Members of the Congress. That is the thing that concerns me. Those dynamics might, in all fairness, affect the outcome of this treaty which could be adverse to the national security interests of this Nation and our allies who depend upon us.

In searching for the format of a consensus to move off the UC consent of having the vote next week, we need to address that issue. Will my dear colleague say exactly what he did in open session yesterday about how he basically endorses my concerns over the year of the national elections under our Constitution?

Mr. LEVIN. As I said yesterday, indeed, the day before, in the absence of circumstances that I cannot foresee——

Mr. WARNER. Primarily, Mr. President, international intervention of some type.

Mr. LEVIN. No, I do not limit it to that.

Mr. WARNER. Each Senator has an opportunity to address that.

Mr. LEVIN. That is correct. But in the absence of circumstances I cannot foresee, I would oppose bringing this treaty up next year for the reasons I have given. In conclusion, at a minimum, I believe we should do no harm. At least let us do no harm in the battle against proliferation. Bringing this treaty up now for a vote—not for debate, which we are doing under a UC, but for a vote—in my judgment, would do harm to the battle against the proliferation of nuclear weapons. I hope we will be able to find a way that we not reach that vote. I yield the floor.

Mr. WARNER. Mr. President, I concur in my good friend's comments. In other words, I have been urging him to say these things for some time. I thank him because this is very helpful as I and other Senators, hopefully with him, continue to work to provide our leadership with a framework within which this can be achieved.

Mr. LEVIN. If I can have 10 more seconds, I have not been reluctant at all to say this over the last few days. I have been very open about my feelings on this issue and that bringing this treaty to a vote now would do harm. I join my friend from Virginia in that belief.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, if it will help my colleagues, we have been trying to equalize this. I am about to yield to Senator DORGAN for 15 minutes, but I say to Democrats who are waiting to speak, we have Tuesday as well. I will be yielding in the 5-to-7-minute range for people who wish to speak after this, if people want to speak. We will reserve enough time at the conclusion of this debate.

I yield 15 minutes to Senator DORGAN who has been, quite frankly, the leader on our side of this issue who has been trying very hard for a year to get us to this point of debate. I yield 15 minutes to my friend from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, for all the anxiety that is expressed in this Chamber about when we might vote and the consequences of that vote, I at least observe that we are finally on the right subject. This is an important issue. This is an important matter for the Senate to consider. There are big issues and then there are small issues. There are important issues and some not so important. Stopping the spread of nuclear weapons, in my judgment, is a big, important issue.

Will the United States of America be a leader, will it assume its moral responsibility in the world to provide leadership to stop the spread of nuclear weapons and reduce the risk of nuclear war? That is the question before the Senate.

Sadly, some in this Chamber answer that question by saying: No, not us, not now. In fact, some, if you look at their record on arms control agreements say: Not us, never.

This treaty is not so difficult to understand, despite the protestations of some.

Forty years ago, President Eisenhower called for a treaty of this type. Seven years ago, the United States decided we would unilaterally stop the testing of nuclear weapons. Nearly 5 years ago, our country was a leader in convening nations to negotiate a comprehensive test ban treaty. Two years ago, that Comprehensive Test Ban Treaty was sent to the Senate for ratification. Not 1 day of hearings was held in the Senate Foreign Relations Committee in 2 years—not 1.

Then abruptly, 10 days ago, we were told there would be 14 hours of debate and 10 days hence we would have a vote on the Comprehensive Test Ban Treaty.

That was not and is not a thoughtful way for the Senate to deal with this issue, especially an issue of this importance.

Now to the debate. Mark Twain once said when asked if he would participate in a debate: Absolutely, provided I can take the negative side.

They said: We have not told you what the debate is about.

He said: It doesn't matter, you don't need time to prepare for the negative side.

I will not ascribe those motives to those who are strongly in opposition to this treaty, but some of the charges and allegations made just seem, to me, to be preposterous. I heard an hour or so ago in this Chamber the term ''unilateral disarmament'' applied to the U.S. ratifying this treaty. What a preposterous charge, unilateral disarmament.

Let's look at who supports this treaty. I heard a discussion about Gen. Colin Powell. Gen. Colin Powell supports this treaty. He said so. We have the date, the time, the place, the statement. He now, apparently, in a telephone call he said he would like to defer the vote because of questions raised in hearings, hearings that were 2 years in the making. Gen. Colin Powell, General Shalikashvili, the last four Chairmen of the Joint Chiefs of Staff; General Shelton, the present Chairman and the Secretary of Defense—all of whom say they support this treaty. Why? Because they believe this treaty protects this country's security interests. They believe this treaty is in this country's interest.

I will read some statements because those who come to the floor talking about the military consequences of this treaty need to understand to what all the senior military leaders in this country now testify.

The Joint Chiefs, the senior military leaders in this country, say:

> In a very real sense, one of the best ways to protect our troops and our interests is to promote arms control. . . . In both the conventional and nuclear realms, arms control can reduce the chances of conflict. . . . Our efforts to reduce the number of nuclear weapons coincide with the efforts to control testing of nuclear weapons. . . . The Joint Chiefs support the ratification of this treaty.

Colin Powell and others in January 1998 said:

> We support Senate approval of the CTBT.

Gen. Colin Powell supports the ratification of this treaty. We are told he wants the vote delayed. So that does not change the fact that he is on record saying he supports the ratification of the Comprehensive Test Ban Treaty.

What about monitoring? We hear all this noise about if we ratify this treaty, countries will cheat.

Our military leaders—and certainly the scientists—but especially our military leaders say that if we ratify this treaty, we will have monitors all around the world.

I show the situation on these charts: Here are the monitors without ratification; here are the monitors with ratification. The number of monitors is dramatically enhanced. The ability to detect nuclear tests, detect cheating will be dramatically enhanced. No one that I know of can credibly or thoughtfully argue that we are not enhancing our capability in this country by ratifying this treaty.

What about the scientists? Thirty-two Nobel laureates in physics and chemistry, the most powerful intellects in this country were at the White House a couple of days ago. One who testified yesterday worked on developing the first nuclear bomb; one who testified the day before invented radar and then invented the laser—what do these scientists tell us about this treaty? They say: Ratify this treaty. This treaty is in the country's best interest.

Scientifically, they tell us that we can safeguard our nuclear stockpile; we can more effectively monitor tests around the world. They say, without equivocation: Ratify this treaty. That is from scientists.

What about the American people? Surveys show 80 percent of the American people say: Ratify this.

It is interesting to me, military leaders do not count; scientists do not count; the American people do not count. There is this cold war mentality, I guess, that nothing has changed. Some who have never supported an arms control agreement are back here again today saying this will not work either.

Other arms control agreements have worked, and we know it. We have seen the destruction of nuclear weapons by sawing wings off bombers, by destroying missiles and warheads, and not by hostility but by arms control agreements that call for reducing the numbers of nuclear weapons. That has happened. These arms control agreements have been successful. This treaty will be successful if this Senate will ratify it.

The support of military leaders and scientists—and, for that matter, the American people—seems to matter little in this Chamber. The scientific opinion of the most respected scientists in the world are second-guessed by those who believe they can understand this issue in a matter of a day or two.

Thirty-two Nobel Prize winners, two seismology organizations, three current weapons lab Directors, the Secretary of Energy, the Joint Chiefs of Staff, and the Secretary of Defense all have a common position on this country's ability to solve the scientific and technical tasks required in this test ban treaty; and all of them say that this treaty is in the country's interests.

The spread of nuclear weapons, that is what all this is about—stopping the spread of nuclear weapons. India and Pakistan detonated nuclear weapons not too long ago under each other's chin. These are two countries that do not like each other. Ought that not send some fear all around the world about the proliferation of nuclear weapons?

Or maybe some do not understand nuclear weapons. They think that they are just bombs. There is an Indian author named Arundahti Roy who is one of the most acclaimed young authors in the world right now. She writes about a nuclear attack and nuclear weapons. Let me read some of this for a moment. She talks about the sentiments of survivors of a nuclear attack:

> What shall we do then, those of us who are still alive? Burned and blind and bald and ill, carrying the cancerous carcasses of our children in our arms, where shall we go? What shall we eat? What shall we drink? What shall we breathe?
>
> . . . There's nothing new or original left to be said about nuclear weapons. . . . (But) under the circumstances, silence would be indefensible. Let's not forget that the stakes we're playing for are huge. Our fatigue and our shame could mean the end of us.

We have a responsibility as a country. Those who raise arguments I have heard today—I wonder how can they sleep at night, if they believe our nuclear weapons are unsafe.

A physicist yesterday said: We have had them for 40 and 50 years. We know how they work. We know how to safeguard them. We know how to keep them over time. Yet we have people on the floor of the Senate talking about the fact that the stockpile may not be safe.

One of my colleagues said: Drop some of them on your State. You think they'd work? Of course they would. You would not, in a million years, guess about whether it would detonate on your State if a nuclear weapon were aimed at your State. We know our stockpile works and is maintained at great cost.

Cannot monitor? Nonsense. That does not even deserve much of a response. Everybody says our monitoring will be enhanced.

Unilateral disarmament? Rubbish. There is nothing here that suggests that. This country already decided we were not going to test 7 years ago.

The question now is, Will we give others a green light to test? We decide that we won't test, but we will refuse to ratify a treaty that says to others: We don't want you to test either.

It is a curious set of circumstances by which this comes to the floor.

Every other arms control issue has been dealt with seriously.

The ABM Treaty: 8 days of Foreign Relations Committee hearings, and 18 days of Senate debate on the floor of the Senate.

The Intermediate Nuclear Forces Treaty in 1988: 23 days of committee hearings in the Foreign Relations Committee; 2 days of Senate floor consideration.

START I: 19 days of hearings; 5 days on the Senate floor.

START II: 8 days of Foreign Relations Committee hearings; 3 days on the Senate floor.

Chemical weapons: 14 days of hearings; 3 days on the Senate floor.

NATO enlargement: 7 days of hearings; 8 days on the floor.

The Comprehensive Test Ban Treaty: 2 years it was here. Not 1 day of hearings in the Senate Foreign Relations Committee during 2 years; and then we are told, 14 hours of debate.

The New York Times today has the spectacle—welcomed from my standpoint, by the way—but the spectacle of the leaders of England, France, and Germany asking us to assume our role as a leader, asking us to ratify the Comprehensive Test Ban Treaty.

No one ought to ask us to do what we have a responsibility to do. We ought not to be in the position of having other countries have to ask us to assume leadership in trying to stop the spread of nuclear weapons and reduce the risk of nuclear war. We ought to be leading on this issue, not following.

Omar Bradley, that great general said some many years ago, and it applies especially today, it seems to me:

> The world has achieved a brilliance without conscience. Ours is a world of nuclear giants and ethical infants. If we continue to develop our technology without wisdom or prudence, our servants may prove to be our executioner.

Everyone in this Chamber knows our responsibility. Our duty—as the nuclear superpower on this Earth—our duty is to lead. And we cannot and we must not shrink from that duty ever.

There is great anxiety about what happens at the end of 14 hours, and what if, as some now speculate, many Senators, especially on the other side of the aisle, decide they cannot support this treaty. Some say that would be a chilling, chilling result, with devastating results around the rest of the world.

I know this: This is a difficult, uncertain time, with many countries wishing to possess and acquire nuclear weapons. It is a difficult time, with India and Pakistan detonating nuclear weapons. It is a difficult time, with rogue nations and terrorist groups that want to threaten much of civilization.

We have unloosed the nuclear genie, and we must assume responsibility in providing an opportunity for the entire world to stop the spread of nuclear weapons. One way to do that—an important and effective way to do that—is to decide as a Senate to ratify this treaty.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DORGAN. Mr. President, I yield the floor.

Mr. KYL. Mr. President, I yield 15 minutes to the Senator from Colorado, Mr. ALLARD.

Mr. ALLARD. If the Chair will notify me when I have a minute left, I would appreciate it.

The PRESIDING OFFICER. The Chair recognizes the patient Senator from Colorado.

Mr. ALLARD. Mr. President, there are three areas I will respond to, contained in previous comments made on the floor. One has to do with the number of hearings we have had in relation to this issue. Another is what previous Presidents have accepted. Another is our ability to monitor what has happened as far as nuclear testing is concerned.

We have had hearings in the Armed Services Committee. I have served on that committee. I have been there personally. I know they have been there. We have had hearings in the Intelligence Committee. To make a statement that this has been brought to the floor without a hearing and discussion in committee is false. We have had those hearings. I believe I have been adequately briefed, as a Member of the Senate, on the pros and cons of moving ahead with the ratification of this particular treaty.

As far as previous Presidents pushing for a nuclear test ban, none of the Presidents, except for this President, has worked for zero tolerance. That is unprecedented. Because of that zero tolerance, it creates special problems for this country when it comes to monitoring. We have shown, through our own scientific testing, that it is possible, with low-level nuclear testing, it can be camouflaged. One can let off a low-level test without any kind of detection. When we get to a zero-tolerance level, this all becomes a problem, as far as monitoring. We do have real problems with monitoring.

This week we have begun the very important debate regarding the Comprehensive Test Ban Treaty, better known as the CTBT, and whether its ratification is in the best interest of the United States. I believe this debate is timely. I have been studying the issue during the course of the last year; attended as many of the hearings as possible; carefully reviewed much of the record; and I listened closely to all my colleagues and the experts with their many varied opinions. After all this, I have come to the conclusion that the CTBT is not in the best interest of this country at this time.

As we move into the 21st century, America is confronting new and improved threats. More countries have acquired and are attempting to acquire weapons of mass destruction. This despite all the treaties in place today. Unfortunately, the reality of this threat means that the United States needs not a weakened nuclear deterrent but a stronger and more reliable nuclear deterrent.

During the cold war, we were in a bipolar strategic stance. It was the U.S. versus the Soviet Union. When we signed up to treaties, we were really only negotiating with the USSR. However, with the fall of the USSR, we are in a completely different strategic situation. Our main threats are rogue states whose goals are completely different than the former Soviet Union. I do not believe that these rogue states—Iran, Iraq, North Korea, and the like—really care if we ratify the CTBT. They will do what they believe is in their best interest.

For example, what do we do if we ratify the treaty and Iraq conducts a nuclear test? Some would say that we can punish them or shame them. How? Are we going to bomb them? Are we going to place heavy economic sanctions on them? To me, this treaty will do nothing to stop the people we want to stop from testing. While we do not need to go ''mano y mano'' anymore with another state in numbers of warheads, we do need to have a strong nuclear deterrent and to do this we need the technology and industrial base capable of assuring that our weapons stay strong. I believe we use the deterrent approach until we have the technology available to destroy a nuclear threat over the country of origin at which time it becomes a liability to the rogue country.

These requirements cannot be confidently met if the United States is obliged to adhere to a zero-yield and permanent CTBT. Despite what we have heard, no other administration has called for this treaty. President Eisenhower proposed a test ban but only for a limited duration. Neither President Kennedy nor President Johnson supported a zero yield test ban. President Nixon agreed to limit test above 150 kilotons and President Carter sought only a ten year ban with tests up to two kilotons. Presidents Reagan and Bush did not pursue a test ban at all.

The permanent zero-yield treaty has only been sought by President Clinton. And from my understanding, this has not been the position for the entirety of his administration. As recently as 1995, the Department of Defense position was that it could support a CTBT only if tests of up to 500 tons were permitted. However, the military chiefs were overruled by the civilian leadership after President Clinton agreed to a zero yield test ban.

This treaty prohibits all underground nuclear tests, even those so low that they cannot be confidently detected. If this treaty is ratified, we would be permanently prohibited from conducting the sorts of tests we have relied upon in the past to assure the safety, reliability, and effectiveness of our nuclear people.

Some of the CTBT proponents believe that the Stockpile Stewardship Program is the antidote to nuclear testing. This program supposes to be able to simulate nuclear explosions through the use of computer modeling. The estimate is that the program will cost at least $4.5 billion a year over 10 years.

While Stockpile Stewardship may be the answer in the future, the problem is that with any scientific experiment you must have a comparable element, and in this case a nuclear test. The best way to ensure that the Stockpile Stewardship program is working is to ensure that the results of the model match the results of a test. We must be able to caliberate the model before we should end all testing. I believe this is the height of irresponsibility.

With this being said, let me stress one major concern I have about the treaty, and regarding the 6 safeguards proposed by the President.

First, as a member of the Intelligence Committee and the Armed Services Committee, I believe the Comprehensive Test Ban Treaty submitted to this Senate by President Clinton is not verifiable. This means that, despite the vast array of expensive sensors and detection technology being established under the treaty, it will be possible for other nations to conduct militarily significant nuclear testing with little or no risk of detection.

What is militarily significant nuclear testing? The definitions of the term might vary, but I think we'd all agree that any nuclear test that gives a nation information to develop newer, more effective weaponry is military significant.

In the case of the United States, nuclear tests will yields between between 1,000 tons and 10,000 tons are generally large enough to provide ''proof'' data on new weapons designs. Other nations might have weaponry that could be assessed at even lower yields. For the sake of argument, however, lets be conservative and assume that other nations would also need to conduct tests at a level above 1,000 tons to develop a new nuclear weapon design.

The verification system of the CTBT is supposed to detect nuclear blasts above 1,000 tons, so it would seem at first glance that it will be likely that most cheaters would be caught. We need to look at the fine print, however. In reality, the CTBT system will be able to detect tests of 1,000 tons or more if they were nonevasive and take place at known test sites. This means that the cheater will be caught only if he does not try to hide his nuclear test. But, what if he does want to hide it? What if he conducts his test evasively?

From the hearings I have attended, it seems that evasive testing may be a very simple task for Russia, China, or others. One of the best known means of evasion is detonating the nuclear device in a cavity such as a salt dome or a room mined below ground. This technique—called decoupling—reduces the noise, or the seismic signal, of the nuclear detonation.

The change in the signal of a decoupled test is so significant—it can be reduced by as much as a factor of 70—that it will be impossible for any known technology to detect it. For example, a 1,000-ton evasive test would have a signal of a 14-ton nonevasive test. This puts the signal of the illicit test well below the threshold of detection. Decoupling is a well-known technique and is technologically simple to achieve. In fact, it is quite likely that Russia and China have continued to conduct nuclear testing during the past 7 years, while the United States has refrained from doing so.

If the CTBT were not going to affect U.S. capabilities, it would not be important whether the treaty were verified or not. The fact is, however, that the CTBT will freeze the U.S. nuclear weapons program and will make it impossible to assess with high confidence whether modifications made to the current stockpile will function as intended. And because there are limits to verifying compliance with the treaty, it will not effectively constrain other nations in the same way. That means they will ultimately be able to gain advantage, at the expense of the United States and our defensive posture.

Second, I want to touch on an issue that does not regard the text of the treaty, but the so-called six safeguards. I will not be able to get into detail on all of them, but it seems these safeguards have been discussed as if they were part of the treaty itself. In reality, these safeguards are just promises made by President Clinton. Even if they are contained in the Resolution of Ratification, these safeguards are still subject to congressional and budgetary pressures.

For instance, safeguard A states that the Stockpile Stewardship Program must be able to ensure a high level of confidence in the safety and reliability of nuclear weapons in the active stockpile. My concern is, what if the program runs into budgetary programs and a few Congressmen decide we are spending too much money on the program and attempt to kill the program?

Also, I know there are special interest groups that support the CTBT but oppose the Stockpile Stewardship Program and will put domestic political pressure on all of us to reduce and end the Stockpile Stewardship Program and instead fund other programs.

Another example of budgetary and political pressures can be associated with a safeguard E. This safeguard insists on the continuing development of a broad range of intelligence gathering and analytical capabilities. This safeguard is already being tested. This administration already attempted to cancel the WC–135 aircraft, citing funding considerations. The WC–135 is essential to U.S. monitoring of nuclear tests. As a member of the Intelligence Committee, I fought for its continued funding. If safeguard E were taken seriously by this administration, they would not be attempting to cancel a program that is essential to monitoring, but would be fully funding these important programs.

For these reasons and many others, I must oppose this treaty —not because I want testing, but for the fact that I cannot yet rely upon an untested future program for the safety of our nuclear deterrent. Maybe one day I can support a zero-yield plan. But now is not the time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I would like to ask my friend one question on my time, if he is willing.

Does the Senator believe that if we defeat this treaty and allow for continued testing, there will be the consensus in this Congress, or in any future Congress, to spend $4.5 billion a year for the next 10 years to fund the Stockpile Stewardship Program?

Mr. ALLARD. I think that, right now, we have the desire within this Congress to continue to fund the stockpile program. I think many of us believe it is an option. It needs to be scientifically developed. We don't have the science there. I personally have that commitment. I also believe we are developing the technology where we can take our own defense systems—we can take our own rocket and meet it with another rocket that has a nuclear warhead on it, intercept it. Lately, we have begun to demonstrate our ability to do that.

I think ultimately we will be able to stop nuclear proliferation when we eliminate the threat of the nuclear warhead going over any other country other than the country from which it was shot. So if we shoot it off over the country from which the missile was launched, then the only hazard is to the country that has the warhead. When we develop that technical capability, then I think we will have a real deterrence. And I don't believe that is far away, by the way.

Mr. BIDEN. Mr. President, regarding that, I point out to my friend that the ability to do that is in direct proportion to the lack of a MIRV'd capability on the part of other countries—that is, other countries being able to put multi-reentry nuclear missiles on a vehicle to fire at us.

All of the technology and testimony from all sources has indicated that for countries that don't have that capability now to be able to move to that capability, which requires them to have a much lighter physics package, or nuclear package on top of a missile—it must be lighter, and it must have a boost capacity—in order for them to develop that, they will have to have testing which is detectable beyond anybody's doubt.

So I make the point that the ability to establish a credible missile defense is directly dependent upon the ability

of us to keep other nations from developing the ability to have MIRV'd reentry vehicles.

I yield 10 minutes now to my friend from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, my father, Leon Wellstone, was born in Odessa in the Ukraine. His family moved several times to stay ahead of the pogroms. Most of his earlier years he spent in Khabarovsk, Siberia, Far East Russia. He came to our country in 1914. He fled persecution. He never could go back home. In all likelihood, his parents were murdered by Stalin.

Mr. President, my father spent most of his life in our country in Washington, DC, and during the night of August 7, 1945, he wrote this essay to himself:

I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

On the day after Hiroshima, I endlessly wandered around town, dazed, lost, adrift. Like a man who suddenly lost all his earthly possessions, his family, his hopes; who is completely and inconsolably bereft; who is stupefied with misery of a depth and poignancy beyond words; who no longer knows where he is going to or why; who can think of nothing but appalling ruin, and nothing save the keenest anxiety and travail and death.

Then, too tired to walk any more, I headed for an old hotel downtown and came in and sat down. Some months ago I had discovered its lobby. It was shabby and ancient, full of old and creaky furniture that spoke of in numerable years of service bolstered by many fixings and patchings and new coats of paint.

Everywhere was evidence of age and wear and tear and fatigue. And yet, for all that, the lobby radiated an air of confidence and determined survival.

Whatever else was in question—an endless list!—one thing at least had appeared certain: that, though changing with the years in manner and pace, life would go on. It was infinitely comforting and appealing to think that it would.

Now that thought was rudely and cruelly shaken by the blast of a bomb. It was a thing we had only imagined in myths and fables. A fiery augury of the world's end. A revelation, stunning and merciless and naked, that this seemingly solid and enduring world of iron, brick, concrete, flesh and bone can vanish as quickly as a sizzling drop of moisture on a hot stove.

Try as I might I could not rid myself of direst premonitions, nor halt my urgent questionings, nor feel a measure of security any longer, nor imagine how the outlook might brighten, nor decide how some peace of mind could be recaptured.

I sat there miles deep in searching thought, unaware of time's passing, hating to return to normal duties. What was the sense of hurrying now? Or the need or purpose to any activity? Why was I, of all men, so shocked and grieved? A life of doubt is possible. But a life of the keenest distress is not. I had found life and the society of men greatly wanting. I had been a pessimist. but now all this was pointless, irrelevant, outlandish.

Only he finds life wanting who also loves it. The idea that this world might soon be no more was an outrage on all logic. It made no sense that a thing of such scope and infinite variety should be doomed to final erasure. I did not care about my own life; I have lived most of it and might not live much longer. But there were the children. And natural beauty. And pictures in the galleries. And fine musical scores. And great books.

I thought of all this and looked about. Never had I felt the lobby so quaint, dear, beguiling. Now I liked its creaking chairs—music to my ears. I liked the shabby walls that have watched so long people drift in and out. I liked the ridiculous pictures on the walls with their flavor of bygone days. I liked the wornout rugs.

Why should I care if the world were turned to cinders? I, who had in the past thought on occasion that it had abundantly merited such a fate? Yet I cared—fiercely, greatly, vehemently. And I could not still my indignation or contain my bitter revulsion.

Finally I left the lobby. I could see nothing ahead but ruin. But outside, on the street, life was astir as ever. Oh, the wonder, stimulation, the comfort of the living scene when you had just thought of charred nullity!

There were tears in my heart.

Many people then were cheering after they dropped that bomb. I think my father was profound.

Leon, your words are part of the official CONGRESSIONAL RECORD, part of the Senate deliberations, and I believe your words have a poignancy and a relevancy to this historic debate on the floor of the U.S. Senate today.

Mr. President, three years ago, President Clinton became the first world leader to sign the Comprehensive Test Ban Treaty. On that day, the President praised the treaty as the ''longest-sought, hardest-fought prize in the history of arms control.''

We as a nation cannot afford to lose this valuable prize. With the ratification of the Comprehensive Test Ban Treaty, we have a unique opportunity in the Senate to help end nuclear testing once and for all. Ratification is the single most important step we can take—here and now—to reduce the threat of nuclear war, which is what my father was talking about.

The Comprehensive Test Ban Treaty is in the interest of the American people and it has widespread public support. It will strengthen our nuclear nonproliferation efforts by reassuring non-nuclear weapon states that states with nuclear weapons will be unable to develop and deploy new types of nuclear weapons. It will keep non-nuclear countries from deploying advanced nuclear weapons systems even if they have the capability to design them. Further, it will improve our ability to detect any nuclear weapons test, with other countries paying 75 percent of the bill for the International Monitoring System.

Ratification will help push India and Pakistan to sign and ratify the Test Ban Treaty. This may be one of the few steps taken to bring these two countries back from the brink of nuclear war, until there is a resolution of the terrible conflict in Kashmir. Further, ratification by the Senate will encourage Russia, China, and other states to follow suit, just as we witnessed when the United States first ratified the Chemical Weapons Convention.

Some say ratification of the treaty is a bad idea because it would be too risky. They say the treaty is too risky because countries might cheat. As Secretary Albright said yesterday in the Foreign Relations Committee, ''By approving the treaty, what exactly would we be risking? With no treaty, other countries can test without cheating, and without limit.''

In 1963, President Kennedy negotiated the landmark Limited Test Ban Treaty with the Soviet Union to ban tests in the atmosphere. That year, he spoke of his vision of a broader treaty in his commencement address at American University. As he said:

The conclusion of such a treaty, so near and yet so far, would check the spiraling arms race in one of its most dangerous areas. It would place the nuclear powers in a position to deal more effectively with one of the greatest hazards which man faces in 1963, the further spread of nuclear arms. It would increase our security—it would decrease the prospects of war. Surely this goal is sufficiently important to require our steady pursuit, yielding neither to the temptation to give up the whole effort nor the temptation to give up our insistence on vital and responsible safeguards.

These words are as true today as they were in 1963. Some of the geopolitical circumstances have changed, the Soviet empire has collapsed, as have the names and the faces of those on the floor debating today. But, in other very important ways, the debate today is quite similar:

Then, as now, there were concerns about our ability to maintain a strong nuclear deterrent under the treaty;

Then, as now, there were questions about whether Moscow would cheat; and,

Then as now, there were concerns about the ability of the United States to effectively verify the Treaty.

Fortunately, the forces in favor of nonproliferation won that battle. The story since 1963 has been one in which our deterrent posture did not suffer, even though we gave up certain types of testing. Further, we gained the respect of the world for reining in the nuclear arms race. That achievement led five years later to U.S. diplomatic success in negotiating the Nuclear Non-Proliferation Treaty and the treaty banning nuclear weapons in Latin America—treaties that have been profoundly successful in constraining the proliferation of nuclear weapons.

Like our colleagues in the Senate in 1963, we must put away partisan politics and ratify the treaty before us. This Comprehensive Test Ban Treaty is a good treaty. It is not perfect, but no treaty produced by over a hundred

countries will ever be. The benefits outweigh the risk. We must act on it.

I hope my colleagues who now oppose the CTBT, or who are undecided, will think hard about what the consequences would be if the treaty were not approved. I believe it is not an exaggeration to say that there will be jubilation among our foes and despair among our friends. North Korea, Iran, and Iraq will feel entirely without constraints in pursuing their nuclear aspirations. With China, we will have thrown away a valuable tool for slowing the modernization of its nuclear arsenal. We will have reduced our credibility on nonproliferation issues with Moscow when we have continually urged it to take proliferation seriously.

No matter what some of my colleagues in this body might believe, we cannot do this alone. We need cooperation from our European allies in controlling exports if we are to prevent states from acquiring nuclear weapons. France, for instance, which has ratified the CTBT, will be even less inclined to listen to us, if we walk away from the treaty, when we implore them to contain Iraq and Iran.

I urge each of my colleagues to think carefully before voting, put partisan politics aside, and to cast your vote on behalf of a safer world, and in favor of the Comprehensive Test Ban Treaty.

Mr. KYL. Mr. President, I ask unanimous consent that a series of letters be printed at an appropriate place in the RECORD.

These are letters from the six former secretaries of defense, former majority leader, Bob Dole, and Dr. Edward Teller, among others.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 8, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR LOTT: We write to express the strong opposition of our organizations and the millions of Americans we represent to the Comprehensive Test Ban Treaty (CTBT).

As conservatives, we believe that the first responsibility of government is to provide for the common defense. This treaty will make it difficult, if not impossible, to maintain the safety and reliability of our nuclear deterrent—a military capability that has for fifty years been central to our defense, and that is likely to continue to do so for the foreseeable future.

President Clinton has explicitly embraced a policy he and former Energy Secretary Hazel O'Leary have called ''denuclearization.'' In a 1996 report issued by the House National Security Committee, its chairman, Rep. Floyd Spence, warned that the effect of this policy is ''erosion [of our nuclear deterrent] by design.''

Were the United States to become party to a binding prohibition on nuclear testing, this policy would be made practically irreversible and its insidious effects accelerated. Unfortunately, nations whose nuclear weapons programs cause us concern (e.g., Russia, China, North Korea, Pakistan, Iran, Iraq, etc.), however, would likely not be similarly affected. They generally are less concerned than we about the need for safety and effectiveness that has driven America's nuclear arsenal to be comprised of the world's most sophisticated weapons. Alternatively, they can always cheat without fear of detection, thanks to the CTBT's unverifiability.

We are also troubled by the evidence that many proponents of the CTBT seem to have more than unilateral American disarmament in mind. In a manner all to reminiscent of the nuclear freeze movement of the 1980s, left-wing activists and their allies appear intent on using the effort to compel the Senate to approve this Treaty as a device for energizing their political base. The stakes associated with this misbegotten accord are too great for it to be addressed in such a cynical way.

For all these reasons, we commend you for your strong opposition to the ratification of the Comprehensive Test Ban Treaty. We urge your colleagues to join you in taking the steps necessary to ensure that a safe and reliable nuclear deterrent remains a key ingredient in our common defense.

Sincerely,

Frank J. Gaffney, Jr., President, Center for Security Policy; David Horowitz, President, Center for the Study of Popular Culture; David A. Keene, Chairman, American Conservative Union; Grover Norquist, President, Americans for Tax Reform; Paul Weyrich, President, Free Congress Foundation; Morton C. Blackwell, Virginia Republican National Committeeman; Felita Blowe, Legislative Coordinator, Concerned Women for America; James H. Broussard, Citizens Against Higher Taxes; Kelly Anny Fitzpatrick, CEO & President, The Polling Company; Mark Green, Editorial Writer, Daily Oklahoman; Barbara Ledeen, Executive Director, Independent Women's Forum; Telly Lovelace, Director, External Affairs, Coalition on Renewal and Education; Martin Mawyer, President, This Nation; Mayor F. Andy Messing, Jr., USA (Ret.), Executive Director, National Defense Council Foundation; William J. Murray, Chairman, Government Is Not Good—PAC; C. Preston Noell III, President, Tradition, Family, Property Inc.; Ronald W. Pearson, President, Pearson & Pipkin, Inc.; Denesha Reid, Director, Public Policy and Research, Concerned Women for America; Phyllis Schlafly, President, Eagle Forum; Robert A. Schadler, President, Center for First Principles; Dick Simms, Director, Cornerstone; Rev. Louis P. Sheldon, Chairman, Traditional Values Coalition; Ann Stone, CEO, The Stone Group, Inc.; Jeff Taylor, Director, Government Relations, Christian Coalition; Timothy Teepel, Executive Director, Madison Project; Harry Valentine, President, Capitol Hill Prayer Alert.

October 6, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. TOM DASCHLE,
Democratic Leader, U.S. Senate,
Washington, DC

DEAR SENATORS LOTT AND DASCHLE: As the Senate weighs whether to approve the Comprehensive Test Ban Treaty (CTBT), we believe Senators will be obliged to focus on one dominant, inescapable result were it to be ratified: over the decades ahead, confidence in the reliability of our nuclear weapons stockpile would inevitably decline, thereby reducing the credibility of America's nuclear deterrent. Unlike previous efforts at a CTBT, this Treaty is intended to be of unlimited duration, and though ''nuclear weapon test explosion'' is undefined in the Treaty, by America's unilateral declaration the accord is ''zero-yield,'' meaning that all nuclear tests, even of the lowest yield, are permanently prohibited.

The nuclear weapons in our nation's arsenal are sophisticated devices, whose thousands of components must function together with split-second timing and scant margin for error. A nuclear weapon contains radioactive material, which in itself decays, and also changes the properties of other materials within the weapon. Over time, the components of our weapons corrode and deteriorate, and we lack experience predicting the effects of such aging on the safety and reliability of the weapons. The shelf life of U.S. nuclear weapons was expected to be some 20 years. In the past, the constant process of replacement and testing of new designs gave some assurance that weapons in the arsenal would be both new and reliable. But under the CTBT, we would be vulnerable to the effects of aging because we could not test ''fixes'' of problems with existing warheads.

Remanufacturing components of existing weapons that have deteriorated also poses significant problems. Manufacturers go out of business, materials and production processes change, certain chemicals previously used in production are now forbidden under new environmental regulations, and so on. It is a certainty that new processes and materials—untested—will be used. Even more important, ultimately the nuclear ''pits'' will need to be replaced—and we will not be able to test those replacements. The upshot is that new defects may be introduced into the stockpile through remanufacture, and without testing we can never be certain that these replacement components will work as their predecessors did.

Another implication of a CTBT of unlimited duration is that over time we would gradually lose our pool of knowledgeable people with experience in nuclear weapons design and testing. Consider what would occur if the United States halted nuclear testing for 30 years. We would then be dependent on the judgment of personnel with no personal experience either in designing or testing nuclear weapons. In place of a learning curve, we would experience an extended unlearning curve.

Furthermore, major gaps exist in our scientific understanding of nuclear explosives. As President Bush noted in a report to Congress in January 1993, ''Of all U.S. nuclear weapons designs fielded since 1958, approximately one-third have required nuclear testing to resolve problems arising after deployment.'' We were discovering defects in our arsenal up until the moment when the current moratorium on U.S. testing was imposed in 1992. While we have uncovered similar defects since 1992, which in the past would have led to testing, in the absence of testing, we are not able to test whether the ''fixes'' indeed work.

Indeed, the history of maintaining complex military hardware without testing demonstrates the pitfalls of such an approach. Prior to World War II, the Navy's torpedoes had not been adequately tested because of insufficient funds. It took nearly two years of war before we fully solved the problems that

caused our torpedoes to routinely pass harmlessly under the target or to fail to explode on contact. For example, at the Battle of Midway, the U.S. launched 47 torpedo aircraft, without damaging a single Japanese ship. If not for our dive bombers, the U.S. would have lost the crucial naval battle of the Pacific war.

The Department of Energy has structured a program of experiments and computer simulations called the Stockpile Stewardship Program, that it hopes will allow our weapons to be maintained without testing. This program, which will not be mature for at least 10 years, will improve our scientific understanding of nuclear weapons and would likely mitigate the decline in our confidence in the safety and reliability of our arsenal. We will never know whether we should trust Stockpile Stewardship if we cannot conduct nuclear tests to calibrate the unproven new techniques. Mitigation is, of course, not the same as prevention. Over the decades, the erosion of confidence inevitably would be substantial.

The decline in confidence in our nuclear deterrent is particularly troublesome in light of the unique geopolitical role of the United States. The U.S. has a far-reaching foreign policy agenda and our forces are stationed around the globe. In addition, we have pledged to hold a nuclear umbrella over our NATO allies and Japan. Though we have abandoned chemical and biological weapons, we have threatened to retaliate with nuclear weapons to such an attack. In the Gulf War, such a threat was apparently sufficient to deter Iraq from using chemical weapons against American troops.

We also do not believe the CTBT will do much to prevent the spread of nuclear weapons. The motivation of rogue nations like North Korea and Iraq to acquire nuclear weapons will not be affected by whether the U.S. tests. Similarly, the possession of nuclear weapons by nations like India, Pakistan, and Israel depends on the security environment in their region, not by whether or not the U.S. tests. If confidence in the U.S. nuclear deterrent were to decline, countries that have relied on our protection could well feel compelled to seek nuclear capabilities of their own. Thus, ironically, the CTBT might cause additional nations to seek nuclear weapons.

Finally, it is impossible to verify a ban that extends to very low yields. The likelihood of cheating is high. ''Trust but verify'' should remain our guide. Tests with yields below 1 kiloton can both go undetected and be militarily useful to the testing state. Furthermore, a significantly larger explosion can go undetected—or be mistaken for a conventional explosion used for mining or an earthquake—if the test is ''decoupled.'' Decoupling involves conducting the test in a large underground cavity and has been shown to dampen an explosion's seismic signature by a factor of up to 70. The U.S. demonstrated this capability in 1966 in two tests conducted in salt domes at Chilton, Mississippi.

We believe that these considerations render a permanent, zero-yield Comprehensive Test Ban Treaty incompatible with the Nation's international commitments and vital security interests and believe it does not deserve the Senate's advice and consent. Accordingly, we respectively urge you and your colleagues to preserve the right of this nation to conduct nuclear tests necessary to the future viability of our nuclear deterrent by rejecting approval of the present CTBT.

Respectfully,

JAMES R. SCHLESINGER.
FRANK C. CARLUCCI.
DONALD H. RUMSFELD.
RICHARD B. CHENEY.
CASPAR W. WEINBERGER.
MELVIN R. LAIRD.

WASHINGTON, DC,
October 5, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR TRENT: I am responding to your October 4 letter, in which you ask for my views on the Comprehensive Test Ban Treaty (CTBT).

As you know, I believe that matters of foreign policy and national security should be approached from a nonpartisan perspective. As such, I have supported a number of Clinton administration initiatives when I believed them to be in the national interest—for example, NATO action in Kosova and ratification of the Chemical Weapons Convention. Unfortunately, in this substance, I cannot support President Clinton's effect to secure Senate approval of the CTBT.

In my view, ratifying the CTBT would endanger the national security of the United States, primarily by preventing nuclear testing essential to maintaining the safety and reliability of our nuclear deterrent. It is through explosive testing that the United States has maintained its confidence in the safety and reliability of the U.S. nuclear stockpile and, thus, the credibility of our nuclear arsenal. Without explosive testing, the credibility of our arsenal will, with time, erode. As credibility erodes, the deterrent effect of our nuclear force erodes, leaving not only America increasingly vulnerable, but also our allies who depend on the American nuclear umbrella.

While the Stockpile Stewardship program is worth pursuing, it should be viewed as a complement to our nuclear testing program—not a substitute for it. Explosive nuclear testing is a proven method of identifying stockpile problems. The Stockpile Stewardship Program is not yet in place and is therefore unproved. Deciding in 1999 to forego testing and instead to rely on a program that will be in place in 2010—it all goes well—is, in short, irresponsible.

Furthermore, agreeing to the CTBT would most certainly lead to a false sense of security. The Administration has argued that by embracing the CTBT, the United States will persuade other countries, including notable proliferators such as North Korea, to halt their quest for nuclear weapons and the means to deliver them. If a regime like Pyongyang has been susceptible to moral suasion or felt bound by international norms, it would never have violated the Nuclear Nonproliferation Treaty (NPT). The idea that rogue regimes are persuaded by American or broader international adherence to legal obligations is wishful thinking. These regimes are called rogue regimes for the very reason that they regularly violate international law and refuse to be held accountable to international norms. The only way to deal effectively with threats from rogue states is to deter them.

There should be no doubt that the best way to protect the United States from the consequences of proliferation is to develop and deploy effective missile defenses. There is no arms control treaty that can protect American territory from nuclear attack. And, with each day, America's enemies come closer to acquiring the capabilities to attack the United States with nuclear, chemical, and biological weapons. The best deterrents are a credible nuclear stockpile and a national missile defense system.

Neither President Reagan nor President Bush pursued a zero-yield test ban treaty of unlimited duration, and for good reason. The CTBT is an ill-conceived and misguided arms control agreement, the ultimate result of which will be the de-nuclearization by other means, of the United States. This treaty is hardly the ''longest sought, hardest fought prize in arms control history,'' as claimed by this Administration.

I support arms controls that increase the security of the United States, not ones that increase the vulnerability of our nation to terrorists and regimes bent on nuclear proliferation.

Sincerely,

BOB DOLE.

GARRISON, MN,
October 5, 1999.

Hon. JOHN W. WARNER,
Chairman, Armed Services Committee, U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: If the news reports are correct, the Armed Services Committee will be addressing the proposed Comprehensive Test Ban Treaty (CTBT) in the next few days. Although I will not be able to be in Washington during the hearings, I want you to have at least a synopsis of my views on the matter.

I believe that ratifying the treaty requiring a permanent, zero-yield ban on all underground nuclear tests is not in the security interest of the United States.

From 1945 through the end of the Cold War, the United States was clearly the preeminent nuclear power in the world. During much of that time, the nuclear arsenal of the Soviet Union surpassed ours in numbers, but friends and allies, as well as potential enemies and other nations not necessarily friendly to the United States, all understood that we were the nation with the very modern, safe, secure, reliable, nuclear deterrent force which provided the foundation for the security of our nation and for the security of our friends and allies, and much of the world. Periodic underground nuclear tests were an essential part of insuring that our nuclear deterrent force remained modern, safe, secure, reliable and usable. The general knowledge that the United States would do whatever was necessary to maintain that condition certainly reduced the proliferation of nuclear weapons during the period and added immeasurably to the security cooperation with our friends and allies.

Times have changed; the Soviet Union no longer exists; however, much of its nuclear arsenal remains in the hands of Russia. We have seen enormous political, economic, social and technological changes in the world since the end of the Cold War, and these changes have altered the security situation and future security requirements for the United States. One thing has not changed. Nuclear weapons continue to be with us. I do not believe that God will permit us to ''uninvent'' nuclear weapons. Some nation, or power, will be the preeminent nuclear power in the world, and I, for one, believe that at least under present and foreseeable conditions, the world will be safer if that power is the United States of America. We jeopardize maintaining that condition by eschewing the development of new nuclear weapons and by ruling out testing if and when it is needed.

Supporters of the CTBT argue that it reduces the chances for nuclear proliferation. I

applaud efforts to reduce the proliferation of nuclear weapons, but I do not believe that the test ban will reduce the ability of rogue states to acquire nuclear weapons in sufficient quantities to upset regional security in various parts of the world. ''Gun type'' nuclear weapons can be built with assurance they'll work without testing. The Indian and Pakistani ''tests'' apparently show that there is adequate knowledge available to build implosion type weapons with reasonable assurance that they will work. The India/Pakistan explosions have been called ''tests'', but I believe it be more accurate to call them ''demonstrations'', more for political purposes than for scientific testing.

Technological advances of recent years, particularly the great increases in computing power coupled with improvements in modeling and simulation have undoubtedly reduced greatly the need for active nuclear testing and probably the size of any needed tests. Some would argue that this should be support for the United States agreeing to ban testing. The new technological advantages are available to everyone, and they probably help the ''proliferator'' more than the United States.

We have embarked on a ''stockpile stewardship program'' designed to use science, other than nuclear testing, to ensure that the present weapons in our nuclear deterrent remain safe, secure and reliable. The estimates I've seen are that we will spend about $5 billion each year on that program. Over twenty years, if the program is completely successful, we will have spent about $100 billion, and we will have replaced nearly every single part in each of those complex weapons. At the end of that period, about the best that we will be able to say is that we have a stockpile of ''restored'' weapons of at least thirty-year-old design that are probably safe and secure and whose reliability is the best we can make without testing. We will not be able to say that the stockpile is modern, nor will we be assured that it is usable in the sense of fitting the security situation we will face twenty years hence. To me that seems to foretell a situation of increasing vulnerability for us and our friends and allies to threats from those who will not be deterred by the Nonproliferation Treaty or the CTBT, and there will surely be such states.

If the United States is to remain the preeminent nuclear power, and maintain a modern safe, secure, reliable, and usable nuclear deterrent force, I believe we need to continue to develop new nuclear weapons designed to incorporate the latest in technology and to meet the changing security situation in the world. Changes in the threat, changes in intelligence and targeting, and great improvements in delivery precision and accuracy make the weapons we designed thirty years ago less and less applicable to our current and projected security situation. The United States, the one nation most of the world looks to for securing peace in the world, should not deny itself the opportunity to test the bedrock building block of its security, its nuclear deterrent force, if conditions require testing.

To those who would see in my words advocacy for a nuclear buildup or advocacy for large numbers of high-yield nuclear tests, let me say that I believe we can have a modern, safe, secure, reliable and usable nuclear deterrent force at much lower numbers than we now maintain. I believe we can keep it modern and reliable with very few actual nuclear tests and that those tests can in all likelihood be relatively low-yield tests. I also believe that the more demonstrably modern and usable is our nuclear deterrent force, the less likely are we to need to use it, but we must have modern weapons, and we ought not deny ourselves the opportunity to test if we deem it necessary.

Very respectfully yours,

JOHN W. VESSEY,
General, USA (Ret.),
Former Chairman, Joint Chiefs of Staff.

WASHINGTON, DC,
October 5, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate

Hon. THOMAS A. DASCHLE,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS LOTT AND DASCHLE: The Senate is beginning hearings on the Comprehensive Test Ban Treaty (''CTBT''), looking to an October 12 vote on whether or not to ratify. We believe, however, that it is not in the national interest to vote on the Treaty, at least during the life of the present Congress.

The simple fact is that the Treaty will not enter into force any time soon, whether or not the United States ratifies it during the 106th Congress. This means that few, if any, of the benefits envisaged by the Treaty's advocates could be realized by Senate ratification now. At the same time, there could be real costs and risks to a broad range of national security interests—including our nonproliferation objectives—if Senate acts prematurely.

Ratification of the CTBT by the U.S. now will not result in the Treaty coming into force this fall, as anticipated at its signing. Given its objectives, the Treaty wisely requires that each of 44 specific countries must sign and ratify the document before it enters into force. Only 23 of those countries have done so thus far. So the Treaty is not coming into force any time soon, whether or not the U.S. ratifies. The U.S. should take advantage of this situation to delay consideration of ratification, without prejudice to eventual action on the Treaty. This would provide the opportunity to learn more about such issues as movement on the ratification process, technical progress in the Department of Energy's Stockpile Stewardship Program, the political consequences of the India/Pakistan detonations, changing Russian doctrine toward greater reliance on nuclear weapons, and continued Chinese development of a nuclear arsenal.

Supporters of the CTBT claim that it will make a major contribution to limiting the spread of nuclear weapons. This cannot be true if key countries of proliferation concern do not agree to accede to the Treaty. To date, several of these countries, including India, Pakistan, North Korea, Iran, Iraq, and Syria, have not signed and ratified the Treaty. Many of these countries may never join the CTBT regime, and ratification by the United States, early or late, is unlikely to have any impact on their decisions in this regard. For example, no serious person should believe that rogue nations like Iran or Iraq will give up their efforts to acquire nuclear weapons if only the United States signs the CTBT.

Our efforts to combat proliferation of weapons of mass destruction not only deserve but are receiving the highest national security priority. It is clear to any fair-minded observer that the United States has substantially reduced its reliance on nuclear weapons. The U.S. also has made or committed to dramatic reductions in the level of deployed nuclear forces. Nevertheless, for the foreseeable future, the United States must continue to rely on nuclear weapons to contribute to the deterrence of certain kinds of attacks on the United States, its friends, and allies. In addition, several countries depend on the U.S. nuclear deterrent for their security. A lack of confidence in that deterrent might itself result in the spread of nuclear weapons.

As a consequence, the United States must continue to ensure that its nuclear weapons remain safe, secure, and reliable. But the fact is that the scientific case simply has not been made that, over the long term, the United States can ensure the nuclear stockpile without nuclear testing. The United States is seeking to ensure the integrity of its nuclear deterrent through an ambitious effort called the Stockpile Stewardship Program. This program attempts to maintain adequate knowledge of nuclear weapons physics indirectly by computer modeling, simulation, and other experiments. We support this kind of scientific and analytical effort. But even with adequate funding—which is far from assured—the Stockpile Stewardship Program is not sufficiently mature to evaluate the extent to which it can be a suitable alternative to testing.

Given the absence of any pressing reason for early ratification, it is unwise to take actions now that constrain this or future Presidents' choices about how best to pursue our non-proliferation and other national security goals while maintaining the effectiveness and credibility of our nuclear deterrent. Accordingly, we urge you to reach an understanding with the President to suspend action on the CTBT, at least for the duration of the 106th Congress.

Sincerely,

BRENT SCOWCROFT.
HENRY A. KISSINGER.
JOHN DEUTCH.

Mr. KYL. Mr. President, I am going to take just a couple of minutes until Senator COVERDELL arrives, at which point I will suspend my remarks so that he can make some comments.

I want to talk a little bit about a common thread of the remarks of many of the people who are in opposition to the treaty; that is, that it is difficult for the United States to sustain our position as the world leader, that many in the international community would find it objectionable if the United States rejected the Comprehensive Test Ban Treaty, and that this would hurt our ability to lead with respect to proliferation of nuclear weapons in the world.

Let me quote from a newspaper story today in the Washington Post, the headline of which is, ''U.S. Allies Urge Senate To Ratify Test Ban.''

It is certainly true that they have done that. There are a variety of them that made comments hoping we would adopt the treaty, not defeat it. Let me quote a couple of things.

International anxiety also has been compounded by new worries over U.S. efforts to escape constraints imposed by the Anti-Ballistic Missile (ABM) Treaty, which limits the ability of the United States to build systems to defend against missile attack.

Russia and China say it would destabilize the strategic balance if the United States built a missile defense system, because

Washington could be tempted to attack others if it felt invulnerable to retaliation.

Jayantha Dhanapala, the U.N. under secretary for disarmament affairs, said many countries agreed to a permanent inspection regime four years ago only on the basis of a written guarantee by the nuclear powers to negotiate and ratify a worldwide test ban as one of several key steps toward nuclear disarmament.

I read two parts of the Washington Post story to suggest the world community, which does not want the United States to develop a ballistic missile defense, which doesn't want the United States to do anything that requires an amendment to the ABM Treaty, and some of which is very much in favor of total nuclear disarmament and has agreed to participate in this treaty only after leaders promised them this Comprehensive Test Ban Treaty would be one of several key steps toward nuclear disarmament, all of those people in the world, I submit, are not people who we want to make U.S. national defense policy. Their goals are not the same as our goals.

We have an obligation as the leader of the free world to ensure our nuclear deterrent is safe and reliable; they don't. We may have to do things they could never dream of doing, including nuclear testing to ensure the safety and reliability of our nuclear stockpile. They don't have to worry about that, but we do. While they can lament the fact that the United States is not willing to sign onto the treaty, they don't have the same responsibility as we do, just as they can call for us not to amend the ABM Treaty or to build a national missile defense or even theater missile defenses without the obligations that The United States has.

The United States has to defend our troops around the world—which most of these countries don't have to do—to defend allies around the world and, of course, even to defend the United States. I, frankly, don't care much if people around the world who don't want the United States to defend itself against ballistic missile attack are going to criticize the Senate for rejecting a flawed unverifiable ineffective CTBT.

Finally, quoting from the last two paragraphs of this article:

I don't like to talk about any country exercising world leadership, but in this case we see that the United States must play a special role, Sha Zukang, China's top arms control official, said in an interview. Sha added that China is even more alarmed by U.S. efforts to develop a regional missile defense system than by the Senate's reluctance to approve a test ban treaty.

So I presume that next, in order to assuage the concerns of the Chinese, we will forego the development of a regional missile defense system because it would upset them if we proceeded with that. Why would it upset them? Because, of course, they wouldn't be able to threaten Taiwan. We have obligations that other countries don't have. If we are to be the great leader that people on this side of the aisle have urged the United States to be, then we have to exercise leadership. Sometimes that means doing things other people in the world are uncomfortable with.

Boris Kvok, Russia's deputy chief of disarmament issues, said the U.S. decision on the test ban treaty would not affect the deliberations of Russia's parliament on the pact or alter his country's test moratorium. "But if the U.S. moves ahead with ballistic missile defense, it would be a disaster . . . and we would have to start developing new weapons. . . ."

He is saying we don't really care about the CTBT in terms of what we are going to do, but if the United States moves ahead with ballistic missiles, that would be a disaster. I presume next we hear people come to the Senate floor and say international opinion says we should not develop a missile defense to protect the people of the United States so we should not move forward with that.

My point is this: The United States cannot be held hostage to world opinion. We have obligations they don't have, and if they don't care about building a defense for their people, we need to because we can be a target of rogue nations whereas other countries may not be. They are not making the decisions and actions in the world that may cause these terrorists or rogue states to want to retaliate against them. However, the United States, by taking a world leadership role, has put itself in that position.

It is not a political issue; it is a physics issue. We have to have confidence in our nuclear stockpile.

The whole world thought Ronald Reagan was wrong, that he had left his senses when he said no to Mikhail Gorbachev at Reykjavik. They both talked about trying to rid the world of nuclear weapons. When Gorbachev said the price of that agreement was that the United States would have to forego the development of the Strategic Defense Initiative, Reagan said no. All of the world leaders gasped—except Margaret Thatcher. But the rest of the world leaders gasped and said: Mr. President, you should reconsider that.

All of the arms control advocates said it was a bad mistake for President Reagan to have said no. Of course, it later transpires that George Shultz mentioned the fact that Mikhail Gorbachev told him that was the turning point of the cold war. That is when Gorbachev concluded that he could not win the cold war and called it the turning point.

Ronald Reagan, in calling the Soviet Union the evil empire, upset a lot of the world leaders, but he stood his ground and history has proven him correct. I submit that history will prove us correct if we return this flawed treaty and say let's go back to the drawing board.

We can do better. We can persuade world leaders it is in the best interest of long-term peace that we do better than this flawed treaty.

Mr. BIDEN. Mr. President, I yield myself a few minutes to respond. I will take no more than 3 minutes.

I hope all Members have observed why my friend from Arizona is such a good lawyer. He did get your eye off the ball. He started off talking about England and France and our allies and Japan and then shifted to Sri Lanka, China, and Russia and talked about why we should not yield to international opinion. No one has suggested we yield to Sri Lanka, China, and Russia in international opinion.

The suggestion made is exactly stated: Allies urge ratifying a test ban treaty. Why? Because they believe it is in their critical interest. They don't lack confidence in our ability to maintain our stockpile. They signed and ratified the treaty.

This circular argumentation going on is we should not ratify because we won't be able to protect our allies; but our allies say you should ratify because we want you to ratify, we feel fully protected.

Who do you believe? Our allies saying they want us? They signed; we want to sign.

Second, I point out this missile defense rests upon our allies in Great Britain and in France and in Norway allowing us to be able to put sensors in their country in order to be able to have a missile defense. That is the way it will work.

What will happen is, we turn down this treaty that they signed, that they think is in their interests, and now we go to them and say: By the way, we want you to help us with a missile defense for our country—not yours, a theater missile defense for our country. How about it, fellows, what do you think?

The third point I would make is: China can only be a threat to our theater missile defense. They have about 18 weapons right now. They can only be a threat to us if they are able to MIRV their missiles, if they are able to get sophisticated. Under this agreement, the intelligence community uniformly concludes that we could detect anything they are doing to get to the point where they were MIRVing those missiles, taking any of the stolen data they have gotten from us and using it. So what are we going to do? We reject this treaty, thereby giving a green light to them to do what they want to do without violation of any international law, thereby putting in jeopardy the very missile defense system my friend from Arizona thinks is so critical for our security.

I find it fascinating. Keep your eye on the ball.

I yield the floor. I see the leader. Welcome, leader.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I will have a full statement on Tuesday. But I did want to get into the RECORD today some of the facts I think are very important for Senators to have access to, some views of a number of important experts.

I would entitle this statement with these words, a quote from Churchill: Facts are better than dreams. And the facts in this case argue against this treaty. The underlying premise of this treaty is flawed. The argument is, if we ratify this Comprehensive Test Ban Treaty, then the rest of the world will be nice and follow suit.

Do you really believe that is applicable to North Korea, Iraq, Iran, India, Pakistan, China, Russia? We are going to act on faith? There are those who will say we must lead, we must show the way, but that is a very dangerous thing to do when you are dealing with something of this importance.

Just in the last 2 days, in hearings before the Armed Services Committee and the Foreign Relations Committee, it has become apparent that this treaty is flawed, should not be ratified now or in the foreseeable future. When you look at yesterday's testimony of the leaders of the country's three nuclear weapons laboratories, it makes it very clear that, as far as safety and reliability are concerned, without testing at this time we do not have the ability to make sure our weapons are safe and would be reliable if there were a need for them.

The headline, even in the New York Times, says, ''Experts Say Test Ban May Impair Nuclear Arms Safety.'' That is a fact. That is a scary fact. Do the American people want us to have nuclear arms that are not tested, that are not safe? I do not think so. So I think we need to be very careful about going forward with a treaty that has the problems this treaty has now, in terms of what it would do and the fact that we do not have the ability to detect or verify what other countries may be doing. Just this past week, the CIA said they could not guarantee they could detect low-level testing in Russia. Then you add to that the testimony of the labs experts. We should defeat this treaty.

Let me correct the record, or remind our colleagues and the country a little bit about why we are where we are. Why is this up? Why did we get a unanimous consent agreement to bring up this treaty, debate it, and have a vote? The President has been demanding it for 2 years. In his State of the Union Addresses and on other occasions, he has been saying: Call it up, have a debate, and vote. Quote after quote I have here with me. The President said in remarks on the 50th anniversary of the Chairman of the Joint Chiefs of Staff, August 9, 1999:

> I ask the Senate . . . to vote for ratification as soon as possible.

He has said:

> . . . give its advice and consent to the Comprehensive Test Ban Treaty this year.

In his State of the Union Address in 1998, he said:

> . . . approve the CTBT this year.

That was last year.

The Vice President, Mr. GORE has said:

> The U.S. Congress should act now to ratify the Comprehensive Test Ban Treaty.

''Act now.'' That was July 23, 1998.

Forty-five Democrats sent a letter to Senator HELMS saying a number of things, but basically this is the upshot of it: Give the Senate the opportunity to consider ratification of the CTBT before the conference begins. That is a conference of ratifying states. That conference is underway now. They wanted to have it up. We got it up and started the debate today. They were demanding that it be called up and considered before then.

The minority leader has said:

> [W]e are certainly willing to have a debate and have the vote.

Not call it up and pass it; he said have a debate, have a vote.

On September 30, 1999, he said:

> I still think, one way or the other, we ought to get to this treaty, get it to the floor, debate it, and vote on it.

What I am saying is for 2 years there has been this agitation to get this treaty up and have a vote on it. So finally they got what they said they wanted, and then they didn't want what they said they wanted.

Then they said: Wait a minute, wait a minute, no, we didn't mean ''now.'' Like this thing was just sprung on us. For 2 years we have been hearing about it. Senators are not uninformed on this treaty. There are hearings underway right now, excellent hearings by the chairman of the Armed Services Committee, Senator WARNER, and the Foreign Relations Committee, Senator HELMS. What happened was they found, when they actually got what they said they wanted—that is, the treaty was going to come up—that the treaty is flawed and it is going to be defeated. This treaty is not going to be ratified. It is not going to happen. They say: Wait, wait, wait; not now; it's too quick; we need more time; it is being given short shrift.

I have some interesting facts on that, too. You talk about the amount of time. When we get through with this treaty and have a vote, we will have probably somewhere around 16 to 18 hours discussing it, debating it, listening to each other, excellent statements on both sides, men and women very serious about this, treating it the way it should be treated. Today, the problem has not been to get speakers. It is that we have so many people who want to speak. We are going to have a good debate today. But let's compare it to other treaties in the past.

The CFE, the Conventional Forces in Europe Treaty, we debated for 6 hours and voted on. The START treaty, 9½ hours; START II, 6 hours; Chemical Weapons Convention—which I know a lot about and showed, during the debate on that issue and the vote, that I was willing to do what I thought was right for the country even under a lot of pressure opposing it. I still get criticized for that.

But when you come to treaties of this magnitude of international import, you have to look at the substance and you have to do what is right for your country, for the world situation, and for your children. Actually, it should be in the reverse order: For your children and your grandchildren. We spent 18 hours on it, and we voted on it.

The CFE flank agreement, 2 hours. As a matter of fact, we are going to have more time spent debating this issue, when it is over, than any recent treaty, with the exception of chemical weapons, which I presume would be about the same time.

So that is how we got to where we are. Because it was demanded. Senators were threatening to hold up Senate floor action if we did not have a vote. Senators had resolutions they wanted to offer with regard to this treaty that were unrelated to other matters being considered on the floor, including the Labor-HHS-Education appropriations bill.

So I really thought, in view of the demands and the discussion that had gone on and the overall best interests of the Senate and the country, that this treaty should come up. So we got a unanimous consent agreement. It was not one that was sprung on anybody. I suggested it on Wednesday. We did not get it finally agreed to and locked in until Friday. So the discussions went on for 2 days. Nobody was surprised. The White House knew full well what we were about to agree to. Now they say set it aside.

I am very worried; should this issue not be voted on now, it might be set aside to be brought back next year and that it become much more of a political issue. And it should not be. We have for a long time worked together in this Senate on a bipartisan basis, and bicameral, and with administrations, on trying to do the right thing on arms control. We should continue to do that. This treaty should not come up next year during a Presidential campaign and be used for political purposes on either side. So I called this up, as was demanded. We got a reasonable time agreement, more than was usually granted for treaties.

There have been hearings underway. The Senators are not uninformed. Senators know what is in this treaty as they get to know more and listen to experts, such as Senator LUGAR yesterday

who had a six-page statement about how this treaty was wrong.

To my colleagues I say, we have done what was requested by the President and by Senators. Let's have this debate and, as for myself, I am ready to vote.

Mr. President, proponents and opponents of the Comprehensive Test Ban Treaty find themselves in agreement on the starting point for this debate: That nuclear deterrence is fundamental to the national security of the United States. In his May of 1997 report entitled ''A National Security Strategy for a New Century,'' President Clinton states, and I quote, ''The United States must continue to maintain a robust triad of strategic forces sufficient to deter any hostile foreign leadership with access to any nuclear forces and to convince it that seeking a nuclear advantage would be futile.'' While the United States must be prepared for the prospect that nuclear deterrence may not always work, in no way does the possibility of failure render deterrence valueless.

Nuclear deterrence was crucial to U.S. security in the past, and will continue to be in the future.

It was, for example, nuclear deterrence which helped guarantee the security of Western Europe from the late 1940s until the Soviet Union collapsed and the cold war ended peacefully. President Eisenhower called on the U.S. nuclear deterrent to stop Chinese attacks against the islands of Quemoy and Matsu in 1958. In 1962 it was the U.S. nuclear deterrent that enabled President Kennedy to demand that the Soviet Union peacefully withdraw its nuclear missiles from Cuba. Again, President Nixon called on the U.S. nuclear deterrent to stop Soviet armed intervention into the Middle East during the 1973 Yom Kippur War. And, most recently, the U.S. nuclear deterrent was essential in persuading Saddam Hussein not to use chemical or biological weapons during the 1991 gulf war, undoubtedly saving thousands of lives. Time and again nuclear deterrence has effectively protected U.S. security without a shot being fired, and, along with the President and many others, I expect our deterrent to continue to be vital for the indefinite future.

Credibility is the key to deterrence. Our nuclear deterrent must be credible not only to would-be aggressors, but also to America's leaders. To contemplate the use of nuclear weapons, our leaders must be confident in the safety and reliability of our nuclear arsenal. Our adversaries must believe that U.S. leaders possess the will to use the nuclear force if need be, and must also believe that our nuclear weapons can be used—that they are safe and reliable enough for U.S. leaders to consider seriously the possibility of their use. Without these conditions American threats of retaliation become less than credible, and the contribution of nuclear deterrence to the national security strategy of the United States would be unacceptably eroded.

It is the paradox of the nuclear age that ensuring nuclear weapons are never used depends on ensuring they can be used.

It is through testing of the U.S. nuclear stockpile that the United States has maintained its confidence in the safety and reliability of our nuclear weapons. In 1987 the Lawrence Livermore Lab produced a reported entitled Report to Congress on Stockpile Reliability, Weapon Remanufacture, and the Role of Nuclear Testing. This report, though 12 years old, remains the single best explanation of the need for nuclear testing.

According to the Livermore report, and I quote, ''. . . there is no such thing as a 'thoroughly tested' nuclear weapon.'' The report gives several reasons for testing, to include, and I quote, ''. . . testing is done to maintain the proper functioning of the current stockpile of weapons,'' and, ''testing is done to modernize the existing stockpile for enhanced safety, security, or effectiveness. . . .''

Moreover, on many occasions the Labs have discovered problems with weapons only because of testing. According to the Livermore report,

Nuclear weapons are fabricated from chemically and radiologically active materials. Much as a piece of plastic becomes brittle when it is left in the sunlight, nuclear weapons age and their characteristics change in subtle, often unpredictable ways. Testing is sometimes required to find problems and to assess the adequacy of the fixes that are implemented. Experience has shown that testing is essential. One-third of all the weapon designs introduced into the stockpile since 1958 have required and received post-deployment nuclear tests to resolve problems related to deterioration or aging or to correct a design that is found not to work properly under various conditions. In three-fourths of these cases, the problems were discovered only because of the ongoing nuclear testing. Because we frequently have difficulty understanding fully the effects of changes, particularly seemingly small changes on the unclear performance, nuclear testing has been required to maintain the proper functioning of our nation's deterrent.

Accordingly to Dr. John Nuckolls, Director Emeritus of the Lawrence Livermore Lab, in a September 2, 1999, letter to Senator JON KYL, ''Nuclear testing has been essential to the discovery and resolution of many problems in the stockpile.'' Testing has been important in ensuring that our weapons work and are safe. It has been important in finding problems in our weapons. It has been important in certifying the solutions to the problems that have been found.

It is because of this testing that the United States has been able to maintain its confidence in the safety and reliability of the nuclear stockpile, which is a fundamental requirement of nuclear deterrence.

In promoting the Comprehensive Test Ban Treaty, the Clinton administration asserts it can assure the requisite level of confidence in the safety and reliability of America's nuclear stockpile—that is, of the weapons comprising our deterrent, upon which nuclear deterrence is based—without testing.

To do this the administration has embarked upon the ''Stockpile Stewardship Program.'' According to the Fiscal Year 2000 Stockpile Stewardship Plan Executive Overview, released by the Department of Energy in March of 1999, and I quote, ''The overall goal of the Stockpile Stewardship program is to have in place by 2010 * * * the capabilities that are necessary to provide continuing high confidence in the annual certification of the stockpile without the necessity for nuclear testing.''

The Stockpile Stewardship Program is an excellent program, and my comments should not be misunderstood as criticism of the program, per se. In fact, the United States has always had some form of stockpile stewardship even while testing. The fundamental question with respect to this program, however, is whether and when it will provide the requisite confidence in the safety and reliability of the stockpile even if it meets all of its design goals. As stated by the Department of Energy in the FY 2000 Stockpile Stewardship Plan Executive Overview, ''At the heart of the Stockpile Stewardship Program is the issue of confidence.''

To their credit, senior officials at the Department of Energy and the nuclear labs are generally careful in how they couch their remarks about the Stockpile Stewardship Program. The usual formulation is to state the belief in Stockpile Stewardship as the ''best approach'' in the absence of testing. That is a responsible reply, as it would be unreasonable to argue that the Department of Energy or our labs should be able to guarantee the success of the Stockpile Stewardship Program. The scientists and engineers at the heart of stockpile stewardship are, in many cases, engaged in activities that are at the cutting edge of the science and technology of nuclear weapons. They can't guarantee success.

According to the administration's estimates, it won't even be completely in place until the year 2010. But proponents of the Comprehensive Test Ban Treaty are willing to put the Stockpile Stewardship cart before the nuclear horse, willing to gamble that the United States can give up nuclear testing now in the hope that Stockpile Stewardship will work in the *future*.

Proponents try to reassure us by saying that if the Stockpile Stewardship Program ends up being insufficient, the United States can exercise the ''supreme national interest'' clause in the treaty to resume testing. Given the unwillingness of administrations to make use of this standard clause in other arms control agreements even when compelling facts exist, there is little reason to believe it would be used with the Comprehensive Test Ban Treaty.

It may surprise some that we cannot be certain of the future success of the Stockpile Stewardship Program. But we should all understand that this lack of certainty comes from a lack of detailed knowledge of many of the key processes in our nuclear weapons, even after all these years of studying, designing, building, and testing nuclear weapons. Accordingly to the FY 2000 Stockpile Stewardship Plan Executive Overview, ''The science and engineering of nuclear weapons are extremely complex, requiring the integration of over 6,000 components. There are many parameters and unknowns that greatly influence the performance of nuclear warheads.'' This report goes on to state, ''There are many areas of warhead operation that cannot be adequately addressed with existing tools and the current knowledge base of the weapons scientists and engineers.'' Thus the need for the several components of the Stockpile Stewardship Program, each of which is, in its own right, a major program.

The importance of major components of Stockpile Stewardship being on schedule and on budget is made clear in the administration's FY 2000 Stockpile Stewardship Plan Executive Overview. This report states that the success of the Stockpile Stewardship plan is, ''dependent on a highly integrated and interdependent program of experimentation, simulation, and modeling. . . .'' The report also states, ''The success of this strategy depends on the effective integration of every major activity described in this Executive Overview . . .'' and, ''Full implementation of the Stockpile Stewardship Program is required to sustain a safe and reliable nuclear deterrent. . . .'' Simply put, this means that each of the major parts of the Stockpile Stewardship Program must work if, as stated by the administration, our country can do without nuclear testing while ensuring the safety and reliability of our nuclear deterrent.

I will not go through each part of the Stockpile Stewardship Program, but I will take a moment to discuss the National Ignition Facility, which has been described by senior Department of Energy officials as one of the key elements of Stockpile Stewardship. In fact, a senior Energy Department official has briefed Senate staff that the Stockpile Stewardship Program cannon succeed if the National Ignition Facility does not succeed.

The purpose of the National Ignition Facility, being built by the Lawrence Livermore National Lab, is to achieve a better understanding of the part of the nuclear weapon known as the ''primary.'' The primary is the first and most critical stage in a nuclear explosion, and also happens to be the least understood part of our nuclear weapons. While other problems can affect the reliability of our nuclear weapons, we know that a nonfunctioning or deficient primary means that the weapon will either not work or not work as planned. In either case, this would be a major problem for our nuclear deterrent, and, hence, for our strategy of nuclear deterrence.

Senate staff were briefed at length on the National Ignition Facility during a visit to the Livermore Lab last January. During this briefing they were told explicitly that the National Ignition Facility was on schedule for completion in October of 2003 and on budget. This program at that time was estimated to cost $1.2 billion.

We have recently learned that the National Ignition Facility is not on schedule and budget, contrary to the representations that were made last January to staff. The same representation was made in testimony in March of 1999 to the Senate Armed Services Committee by Dr. C. Bruce Tarter, Director of the Lawrence Livermore Lab, when he stated, ''I am pleased to report that NIF [National Ignition Facility] construction is on budget and on schedule.'' In fact, however, the Washington Post reported on September 6, 1999, that, ''Energy Department officials said mismanagement may cause the project's cost to soar as much as $350 million above the originally projected $.2 billion and delay completion by as much as two years,'' Dr. Tarter's statement demonstrates that each part of the Stockpile Stewardship Program is a complex undertaking, the success of which cannot be assured, whether for reasons of technological or managerial deficiencies.

It shouldn't be a surprise that the Stockpile Stewardship Program is having difficulties. After all, nearly every aspect of this program is attempting to push the borders of our scientific and engineering knowledge of nuclear weapons. Additionally, the Department of Energy's record of successful completion of major programs leaves much to be desired. According to the General Accounting Office, ''From 1980 through 1996, DOE terminated 9 of 18 major Defense Program projects after spending $1.9 billion and completed only 2 projects—one behind schedule and over budget with the other behind schedule but under budget. 'Schedule slippages' and cost overruns had occurred on many of the remaining 7 projects ongoing in 1996.'' In the FY 2000 Stockpile Stewardship Plan Executive Overview Dr. Vic Reis states, ''Maintaining the U.S. nuclear weapons stockpile without nuclear testing will continue to challenge DOE's best capabilities.''

Mr. President, there are many other reasons to be concerned about whether the Stockpile Stewardship Program is a sufficient alternative to testing. I will not address these questions in detail, but hope other Senators will.

First, even if Stockpile Stewardship works as planned, and on time, and is affordable, is it good enough?

Second, will Stockpile Stewardship accurately tell us about the effects of aging on nuclear weapons, which is one of the key challenges in stockpile whose weapons are being extended far beyond their design life? Will it tell us for example, what happens to plutonium as it ages? The issue of aging and its effects on the nuclear stockpile is particularly important, and is recognized as such in the FY 2000 Stockpile Stewardship Plan Executive Overview, which makes the following important statements about aging,

1. ''The DOE has never before had large numbers of 30 to 50 year-old warheads in the stockpile. Until last year, the average age of a stockpile warhead had always been less than 13 years. As a result, new types of aging-related changes and problems in these older warheads are expected to be encountered.''

2. ''Some changes may have little or no effect, whereas others could make a major difference.''

3. ''Nuclear warheads are not static objects. Materials change over time (e.g., radioactive decay, embrittlement, corrosion). Some of these changes do not adversely affect warhead safety or reliability, but others may. In addition, not all changes have reached current detection thresholds, but nonetheless may potentially impact safety or reliability.''

4. ''* * * warheads will remain in the stockpile well beyond their anticipated design life and beyond DOE's base of experience.''

Third, will Stockpile Stewardship be good enough to certify the many new manufacturing processes, to include those for new plutonium pit production? And how will we know that the Stockpile Stewardship certifications of new manufacturing processes are accurate?

Fourth, will Stockpile Stewardship enable the United States to make its weapons as safe as the technology allows, which used to be the standard against which nuclear weapons safety was measured? We have already received testimony, for example, that insensitive high explosives—an important safety measure—cannot be put in all of our deployed nuclear weapons without testing.

Fifth, how will we know the answers to any of these questions without calibrating the finished Stockpile Stewardship product, if or whenever we get

to that point, against actual tests of aged weapons currently in the stockpile? Though the United States performed 1,030 nuclear tests, much of the data is of such low quality or on weapons no longer in the stockpile that it can't be used in Stockpile Stewardship.

The Advanced Strategic Computing Initiative, one of the major parts of the Stockpile Stewardship Program, has made impressive advances in supercomputing capability. But it still must improve the capabilities of its supercomputers by many orders of magnitude above what it has already attained. If this can be affordably accomplished—something that has not yet been determined—the United States will still be in the position of then having to rely upon computer simulations to integrate all the data being produced out of the other pieces of Stockpile Stewardship. As we all know, computer simulations can always be made to work; the question is whether they faithfully model reality. And without calibrating these models against actual tests of weapons currently in the stockpile, the United States will be forced into the position of hoping its models and simulations are accurate.

Sixth, will Stockpile Stewardship incorporate and replace the experience base in Department of Energy and Lab personnel as most of the scientists and engineers with design, manufacturing, and test experience retire in the next 10 years? According to the FY 2000 Stockpile Stewardship Plan Executive Overview, ''Many of the scientists and engineers with actual weapons design, production, and test experience have already retired, and most of those remaining will likely retire within the next decade. A new generation of weapons scientists and engineers must be trained and their competence validated before the current generation leaves the workforce.''

Seventh, is Stockpile Stewardship's funding sufficient and sustainable? This question is asked because the lab directors originally told the administration they needed $4.8 billion per year, but were told to design a $4.5 billion per year program. After doing so they were then told the $4.5 billion per year would be in current dollars, and would therefore not be adjusted over time for inflation. And most recently, the labs were told that the cost of producing tritium would have to be accommodated within the $4.5 billion per year, though it was not included by the labs in their $4.5 billion per year budget. In testimony before the Senate Assistant Secretary of Energy Vic Reis stated, ''A production source of tritium would be in addition to'' the $4.5 billion per year for Stockpile Stewardship. Dr. Reis, however, is directly contradicted by the FY 2000 Stockpile Stewardship Plan Executive Overview, which states, ''FY '00 funding for the tritium source is included within this level'' of $4.5 billion. Thus, the labs are getting less than they said they needed for the Stockpile Stewardship Program; they're sustaining funding reductions because of inflation; and, their program is being further reduced by having additional requirements levied upon Stockpile Stewardship without the provision of additional resources.

Finally, and most important, since Stockpile Stewardship is supposed to tell us about problems, many of which we've never seen before—such as those caused by aging—how will we know if Stockpile Stewardship ''works''? How will we know we're finding problems that we've never seen before?

According to the President's statement of August 11, 1995, ''I am assured by the Secretary of Energy and directors of our nuclear labs that we can meet the challenge of maintaining our nuclear deterrent under a CTB through a science-based stockpile stewardship program without nuclear testing.''

The directors of the labs have not ''assured'' the President that the Stockpile Stewardship Program will maintain the U.S. nuclear deterrent, in the President's words, ''without nuclear testing.'' What the lab directors actually have said in quite different: that Stockpile Stewardship represents the best chance to maintain the deterrent without testing. But there was absolutely no assurance given the President by the lab directors concerning Stockpile Stewardship. They have never said, individually or collectively, ''we can maintain the safety and reliability of our nuclear weapons without testing.'' In a letter to Senator JON KYL of September 24, 1997, the director of the Los Alamos Lab, Dr. Sigfried Hecker, stated, ''We agreed with the Department of Energy that without nuclear testing, the SSMP [Stockpile Stewardship and Management Program] provides the most logical approach for certifying the stockpile today and decades from now. We said that we could not guarantee that the SSMP would work, although we had reasonable confidence that it would * * *.'' That certainly doesn't sound like an ''assurance'' to me.

Recognizing that the eventual success of the Stockpile Stewardship Program is not a self-evident fact, during a visit to the Los Alamos National Lab on February 3rd, 1998, President Clinton said, ''* * * I don't think we can get the Treaty ratified unless we can convince the Senate that the Stockpile Stewardship Program works * * *.'' As good as this program is, we do not know if Stockpile Stewardship will be good enough. We do not know when, if ever, the Stockpile Stewardship Program will be good enough, particularly as its promised completion is still over a decade away. And until we know, it would be irresponsible to foreswear nuclear testing. Stockpile Stewardship is simply not a proven alternative to nuclear testing. Nuclear deterrence is too important to the security of the United States for our nuclear deterrent to be propped up by hopes instead of set in a foundation of facts.

The CTBT purports to ban an activity it does not define.

My opposition to the Comprehensive Test Ban Treaty is not derived solely from the questions emanating from the unfinished Stockpile Stewardship Program, though these uncertainties constitute more than sufficient grounds to object to the treaty. The CTBT is itself seriously flawed in many ways, four of which I will discuss.

First, the Comprehensive Test Ban Treaty purports to ban an activity it does not define. Nowhere in the treaty can the definition of ''test'' be found. That is not to say that negotiators didn't spend a significant amount of time trying to define this most fundamental of terms. They did, but left the word undefined purposely because they simply found it too difficult to reach consensus on its meaning.

So, the Senate is being asked to render advice and consent to ratification of a treaty that not only bans an activity, but does so comprehensively. We just don't quite know what activity is being banned.

The Comprehensive Test Ban Treaty does state in Article I, ''Each State Party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion * * *.'' The Clinton administration has interpreted this to mean the CTBT is a ''zero-yield'' treaty, so one could expect that the treaty bans nuclear explosions from which a nuclear yield is derived. Unfortunately, the truth is not that simple, which is why the word ''test'' in the Comprehensive Test Ban Treaty is undefined.

In fact, for the first two-and-a-half years of the Clinton administration, negotiators pursued a comprehensive test ban treaty that would allow some level of yield from tests; that is, the Clinton administration's position was to negotiate a comprehensive test ban that would allow low-yield testing. Until August 11, 1995, when President Clinton decided to pursue a zero-yield CTBT, the Defense Department position was that it could agree to a comprehensive test ban treaty only if it permitted tests with nuclear yields of up to 500 tons. Other parts of the administration resisted a zero-yield treaty because they knew such a treaty couldn't be verified. But the nuclear weapon states couldn't agree on how much yield should be allowed, and the non-nuclear weapon states viewed this approach as an attempt by members of the nuclear club to enjoy the rhetorical benefits of being part of a nuclear test ban treaty while continuing to have the ability to improve their nuclear arsenals. So ultimately, in large part because some believed the indefinite extension of the Nuclear Nonproliferation

Treaty hung in the balance, the United States endorsed a zero-yield Comprehensive Test Ban Treaty while leaving the meaning of ''test'' undefined and ''zero-yield'' ambiguous. In fact, the phrase ''zero-yield'' is not even in the treaty.

Hydro nuclear testing is a perfect example of this problem. Hydronuclear testing is very low-yield testing, and is particularly useful in assessing nuclear weapon safety issues. Until the Clinton administration adopted its ''zero-yield'' position, it held that hydronuclear tests would be permissible under a comprehensive test ban treaty. After the administration adopted zero-yield as its position, though, American representatives declared hydronuclear testing to be contrary to this standard. Other countries, such as Russia, however, have declared hydronuclear testing to be consistent with its understanding of the treaty. Victor Mikhailov, formerly the Russian Minister of Atomic Energy and currently the First Deputy Minister at that ministry, stated on April 23, 1999, that the Russian nuclear program has to focus on, in his words, ''three basic directions'' in a CTBT environment: ''new computer equipment, non-test-site 'simulation' experiments, and so-called test-site hydronuclear experiments, where there is practically no release of nuclear energy.'' Neither Russia nor, for that matter, China, has agreed even to the U.S. definition of what constitutes a hydronuclear test.

After Russia signed the Comprehensive Test Ban Treaty in 1996, Arzamas-16, one of Russia's two nuclear weapons labs, published a book in 1997 entitled Nuclear Tests of the USSR. According to this book, ''Explosive experiments with nuclear charges in which the amount of nuclear energy released is comparable to energy of the HE [high explosive] charge, belong to the category of hydronuclear tests, and they also are not nuclear tests * * *.'' In plain English this means that one of Russia's two nuclear design labs does not consider low-yield testing to be a violation of the Comprehensive Test Ban Treaty.

The Russian position is not without merit, as the treaty's failure to define the meaning of the word ''test'' or even to include the phrase ''zero-yield'' gives rise to these kinds of fundamental ambiguities. Indeed, in testimony to the Senate, Mr. Spurgeon Keeny, President of the Arms Control Association, stated that during President Eisenhower's nuclear testing moratorium of 1958–1961, the President authorized a number of hydronuclear tests, ''. . . related to some very specific safety problems that existed at the time.'' So during President Eisenhower's zero-yield nuclear testing moratorium he authorized the conduct of tests which this administration says would violate today's zero-yield Comprehensive Test Ban Treaty. It's not hard to see why other nations could think hydronuclear tests are permissible.

This ambiguity will lead to greater tensions as some accuse others of violating the treaty. It will enable some countries to improve their weapons and cloak the activities of other nations as they pursue acquisition of nuclear weapons, while the United States abides strictly by the treaty. While arms control proponents suggest that arms control treaties enhance relations between nations, the failure to define the Comprehensive Test Ban Treaty's most fundamental term can hardly be expected to build confidence between nations; instead, it's likely to create discord.

There is no evidence that the CTBT will reduce proliferation.

The second key problem with the treaty is that, contrary to assertions by treaty proponents, there is no evidence that the Comprehensive Test Ban Treaty will reduce proliferation.

Nations acquire nuclear weapons to enhance their national security. Will America's failure to test change that? The evidence indicates not. Indeed, though the United States hasn't tested since 1992—and didn't resume testing even after France and China conducted their tests in the mid-1990s—India and Pakistan chose to conduct nuclear tests in the spring of 1998. Each country did this for the simple reason that they found such conduct to be consistent with their national security interests.

The idea that the Comprehensive Test Ban Treaty will be an effective nonproliferation barrier should be examined in the context of the Nuclear Nonproliferation Treaty, or NPT. Except for the United States, Britain, France, Russia and China—the so-called ''P–5''—the NPT establishes a norm against the development or acquisition of nuclear weapons. Yet, despite the establishment of this norm more than 30 years ago, nations other than the P–5 have continued to seek and acquire nuclear weapons. This pursuit and acquisition of nuclear weapons has occurred by both members and non-members of the NPT. Thus, while some of these nations, by virtue of their NPT membership, have explicitly violated the terms of that treaty—North Korea and Iraq immediately come to mind—the rest, though not NPT members, have flouted the NPT-established international norm.

So, the CTBT-established ''norm'' against testing is essentially superfluous. To violate this norm, nations, except for the P–5, must first violate the NPT-established norm against acquiring nuclear weapons. And if they are willing to violate the first norm, why not the second, and lesser, CTBT-established norm? Nations willing to violate the NPT norm to acquire the weapon in the first place can hardly be expected not to violate the CTBT norm of testing their ill-gotten weapon. Mr. Spurgeon Kenny, President of the Arms Control Association, even testified to the Senate that the NPT, ''is the principal constraint on testing by non-nuclear weapon states.'' Which would seem to make the CTBT extraneous.

Nonetheless, CTBT proponents contend the treaty will be an effective tool against ''horizontal proliferation''—that is, against the acquisition of nuclear weapons by nations that don't already have them—and also against ''vertical proliferation,'' or the improvement of nuclear arsenals by those nations already possessing these weapons.

According to Dr. Kathleen Bailey, the former Assistant Director of the Arms Control and Disarmament Agency and now retired from the Lawrence Livermore Laboratory, in testimony before the Senate, ''It is quite feasible for a nation to develop a device that will work as long as it does not matter if the yield is exactly known and there are no exacting specifications which must be met.'' Nations that do not now have nuclear weapons can build relatively unsophisticated nuclear weapons. The knowledge necessary to build these weapons is readily available, in textbooks, classrooms, libraries, and on the Internet. Treaty proponents do not dispute this; in testimony before the Senate, Mr. Keeny of the Arms Control Association, said, ''. . . a rogue state could develop a first generation nuclear weapon without testing.''

For proliferating nations seeking a nuclear weapon capability, first generation nuclear weapons need not be tested for the user to have adequate confidence in their utility. The United States would not have sufficient confidence in an untested or marginally tested weapon because of its requirements for weapon safety and reliability, but other nations will not necessarily have the same stringent requirements. Even if a country has low confidence that its relatively unsophisticated nuclear weapon will work if used militarily, in a crisis the United States cannot take the chance that another country's weapon, however unsophisticated, won't work. In this respect, mere possession of a nuclear weapon could be enough to dissuade the United States from acting. As a minimum, this possession will be enough to constrain America's options in time of crisis.

With respect to ''vertical'' proliferation, were the CTBT to receive consent to ratification by the Senate I am confident it would constrain the ability of the United States to modernize its nuclear arsenal. But other nations that already possess nuclear weapons will improve their arsenals—by exploiting the ambiguity inherent in the treaty's

failure to define ''test,'' or embarking upon testing which we can't detect though it provides militarily useful data, or by espionage, as we have already seen in the case of China. China's acquisition of information on our most modern nuclear warhead, the W–88, demonstrates that some nuclear powers can improve their arsenals without extensive testing.

The Comprehensive Test Ban Treaty could also have the perverse effect of engendering proliferation. There are several advanced nations, most of which are U.S. allies, that decided to forego their own nuclear arsenals for the explicit reason that their safety would be guaranteed under the American nuclear umbrella. If these allies lose their confidence in the safety and reliability of the U.S. nuclear deterrent, then they could also lose faith in the idea of finding their own protections within America's extended deterrent. These nations could then decide it to be in their own national security interests to acquire nuclear weapons; at a minimum, U.S. participation in the CTBT would require them to examine the question of whether they need their own nuclear deterrent.

The Comprehensive Test Ban Treaty's supposed nonproliferation benefits are based on hope, not fact. The CTBT adds nothing to the NPT. The evidence simply does not support the assertion that the CTBT would be an effective nonproliferation tool.

The CTBT verification scheme will have little effect.

The third significant deficiency of the Comprehensive Test Ban Treaty is its verification provisions. As the treaty is supposed to be a ''zero yield'' test ban, this is particularly troubling. While it is reasonable to hope that a nation's assumption of treaty obligations is sufficient to bind it by the treaty's terms and conditions, it is an unfortunate fact that some nations violate arms control treaties when convenient. The Senate recognized this problem, for example, when it provided advice and consent to ratification of the START II agreement, declaring its concern about, ''. . . the clear past pattern of Soviet noncompliance with arms control agreements and continued cases of noncompliance by the Russian Federation. . . .'' This is why effective verification of arms control treaties is so important, and I will explain three of the ways the CTBT's verification regime is deficient.

First, treaty supporters hope that the International Monitoring System set up under the CTBT will enable detection with high confidence of very low yield nuclear tests. We know, however, that it is possible to conduct a nuclear test with the intention of evading systems designed to detect the explosion's telltale seismic signature. This can be done through a technique known as ''decoupling,'' whereby a nuclear test is conducted in a large underground cavity, thus muffling the test's seismic evidence. In a speech to the Council on Foreign Relations last year, Dr. Larry Turnbull, Chief Scientist of the Intelligence Community's Arms Control Intelligence Staff, said,

> The decoupling scenario is credible for many countries for at least two reasons: First, the worldwide mining and petroleum literature indicates that construction of large cavities in both hard rock and salt is feasible, with costs that would be relatively small compared to those required for the production of materials for a nuclear device; second, literature and symposia indicate that containment of particulate and gaseous debris is feasible in both salt and hard rock.

So not only is this ''decoupling'' judged to be ''credible'' by the Intelligence Community, but, according to Dr. Turnbull, the technique can reduce a nuclear test's seismic signature by up to a factor of 70. This means a 70-kiloton test can be made to look like a 1-kiloton test, which the CTBT monitoring system will not be able to detect. And a 70-kiloton test, even much less than a 70-kiloton test, can be extraordinarily useful both to nations with nuclear weapons and to nations seeking nuclear weapons. Bear in mind that the first atomic bomb used in combat had a yield of only 15 kilotons.

The final verification problems I will discuss is one that is present in, though not particular to, this treaty, and has to do with the ability of proliferators to utilize information gained from the verification system. In short, the verifications regime could serve as a training ground for those who wish to use the treaty to mask their continued pursuit of new or improved nuclear weapons. We have seen this problem in the past, and the aftermath of the Gulf War provides an excellent example.

Mr. David Kay, the first head of the UNSCOM inspection team in Iraq, has recounted on various occasions his experiences in searching for the Iraqi missile and weapons of mass destruction programs. One such experience involves UNSCOM's search for Iraq's nuclear weapons program. The UNSCOM inspectors searched long and hard, knowing the evidence was well hidden, and over many months, despite the best efforts of Iraq to frustrate UNSCOM's efforts, gradually uncovered much information about the broad scope of the Iraqi nuclear program.

The UNSCOM inspectors were particularly interested in learning how Iraq had managed to fool the International Atomic Energy Agency for so long. According to Dr. Kay, the response they received from the director of Iraq's Atomic Energy Commission ''Nuclear Safeguards Department''—someone who had repeatedly lied to UNSCOM inspectors until he was confronted with incontrovertible evidence—was that he had learned how to beat the IAEA system of inspections from his experience as an IAEA inspector. After all, Iraq is a member of the NPT, and Iraqis therefore have every right to work at the IAEA.

Mr. President, we must expect that the same will happen under the CTBT. The treaty's own implementation mechanisms could teach some countries how to appear to be adhering to this treaty while actually using it to shield the advancement of their clandestine nuclear programs.

It is important to understand that our ability to verify a treaty is confined to the limits and fallibility of intelligence collection and analysis. In a 1998 speech to the National Defense University Foundation, Dr. Kay, stated, ''We ought to remember in the case of Iraq, we [UNSCOM] found in the nuclear area a program that had sucked up $10 billion in the 1980s; 15,000 people working on it; 25 sites of production of various components, 12 really major ones; elaborate deception and denial operations . . . Can you imagine, if you had the DCI in here and asked him, 'Is there a country that can engage over ten years in a program to build nuclear weapons, spend $10 billion, have 15,000 people working in it, five major avenues of enriching uranium, and get within 18 months of building the program and you will not have detected it?' '' Sometimes, unfortunately, our Intelligence Community will miss even very large clandestine programs.

The CTBT verification problem is compounded by the fact that it is supposed to be a ''zero-yield'' treaty. Commenting on this in testimony this year before the Senate Foreign Relations Committee, James Woolsey, President Clinton's first Director of Central Intelligence, stated, ''I do not believe that the zero level is verifiable. Not only because it is so low, but partially because of the capability a country has that is willing to cheat on such a treaty, of decoupling its nuclear tests by setting them off in caverns or caves and the like. . . . And to my mind, that makes it a worse than a weak reed on which to rely.'' Mr. Woolsey is correct; the false assurance of the CTBT's verification system is in many ways worse than no assurance at all. The treaty's verification flaws alone are sufficient reason to vote against the Comprehensive Test Ban Treaty.

The CTBT prevents the United States from making our weapons safer and from adapting our nuclear stockpile to new threats.

The fourth major deficiency of the Comprehensive Test Ban Treaty is that it will prevent the United States from both improving its current arsenal and building new types of weapons, should the need arise. Though treaty proponents view this as a positive development, I will briefly explain why it is in fact a problem.

Dr. Robert Barker recently retired from the Lawrence Livermore National Lab after spending his entire professional life as part of the U.S. nuclear

complex, as a weapon designer, tester, and as the Assistant to the Secretary of Defense for Atomic Energy for three different secretaries. According to Dr. Barker, the safety standard for U.S. nuclear weapons has always been to make these weapons as safe as our technology will permit. This means that as technology improves, so too should the safety features of our nuclear weapons.

But some safety features, such as insensitive high explosives, cannot be added to some of the weapons in our stockpile without testing. Therefore, the effect of the CTBT on the U.S. nuclear stockpile is to make it less safe than it otherwise would be. According to Dr. Barker in testimony to the Senate, ''The history of U.S. nuclear weapon development is that with the design of each new weapon, efforts were made to incorporate the latest safety features in a steadily evolving technology of safety. When weapons remained in the stockpile so long that their safety features were too deficient with respect to then current standards, these systems were retired solely because of this deficiency.''

So because the CTBT does not allow testing for safety or for any other reason, the United States will face the dilemma of fielding weapons that aren't as safe as they should be or doing without the weapons. For those whose ultimate objective is the denuclearization of the United States, this is a good reason to support the treaty. But it is not a good reason for those of us who understand the continuing necessity of nuclear deterrence to the national security of the United States.

It is also risky to insist that the United States will not have a future need for new types of nuclear weapons. Our nuclear deterrent must be configured such that it contains weapons to meet all conceivable needs. Over the years, in fact, one of the reasons the United States has continued to produce new types of weapons has been to respond to new requirements. Assuming the immutability of the current U.S. nuclear weapon requirements is, in my view, an unacceptable gamble. According to an unclassified March 1999 report by the Los Alamos Nuclear Laboratory entitled The U.S. Nuclear Stockpile: Looking Ahead, ''[The] CTBT has reduced our flexibility and options to meet future nuclear deterrent requirements.''

The major problem with an outmoded nuclear stockpile is that it reduces the credibility of the U.S. nuclear deterrent and, hence, undermines America's strategy of nuclear deterrence. As new threats develop for which the United States has no weapon that can be used, our adversaries will grow to view U.S. deterrent threats as less than credible. Obviously no one wants to use our nuclear weapons; but ensuring nuclear weapons are never used depends on ensuring they can be used. When they become unusable, or when we are faced with a situation for which we don't have the proper weapon, the American nuclear deterrent will have lost its relevance. This is good news for those who view the CTBT as an important step on the path to denuclearization, but bad news for everyone who understands the continuing importance of nuclear deterrence to America's national security.

The four deficiencies I have just discussed are by no means the only faults of the Comprehensive Test Ban Treaty, but I will leave it to others to examine additional treaty shortcomings. While I'm sure some will take issue with my characterization of the CTBT as replete with problems, the simple fact of the matter is that even President Clinton recognizes that the Comprehensive Test Ban Treaty is brimming with serious deficiencies. This is why the President announced that the United States would sign the CTBT subject to the establishment of so-called ''safeguards,'' and this is why the administration and treaty supporters are asking that these safeguards be made part of the resolution of ratification. What these safeguards tell us is that the administration does not want the Senate to consider the Comprehensive Test Ban Treaty on its own; that the administration does not believe the Comprehensive Test Ban Treaty to be capable of standing on its own merits.

These so-called ''safeguards'' are themselves deficient.

On August 11, 1995, President Clinton released a statement which said, ''The United States will now insist on a test ban that prohibits any nuclear weapons test explosion, or any other nuclear explosion. I am convinced this decision will speed the negotiations so that we can achieve our goal of signing a comprehensive test ban next year. As a central part of this decision, I am establishing concrete, specific safeguards that define the conditions under which the United States will enter into a comprehensive test ban.''

This announcement marked President Clinton's decision to seek a zero-yield test ban treaty, and part of what the President said is worth repeating, ''As a central part of this decision, I am establishing concrete, specific safeguards that define the conditions under which the United States will enter into a comprehensive test ban.''

The six conditions that President Clinton announced are not part of the Comprehensive Test Ban Treaty, but entirely separate from the treaty. The safeguards were announced for the simple reason that the treaty is itself inadequate, or there would have been no need for the so-called safeguards. Indeed, the support of the Joint Chiefs of Staff for the Comprehensive Test Ban Treaty is conditioned on these safeguards. As stated in their Posture Statement of February 2, 1999, ''The Joint Chiefs of Staff support the ratification of this Treaty, with the safeguards package, that establishes conditions under which the United States would adhere to the Treaty,'' So the Joint Chiefs support the ratification of the treaty only with the safeguards package. And the President supports U.S. entry into the CTBT with the safeguards package. But the fact of the matter is that the safeguards package, upon which the President and the Joint Chiefs have invested so much importance, is not part of the treaty.

The secret of the Comprehensive Test Ban Treaty is that it does not stand on its own merits, but is propped up by this ''safeguards package'' which has been accepted by no other nation that has signed or ratified the CTBT. So the Senate is being asked, essentially, to provide advice and consent to ratification of this treaty because of words that are not in the treaty. The Senate is being asked to provide its consent to something that no other nation understands to be the Comprehensive Test Ban Treaty. Even worse, the so-called ''safeguards package'' is itself inadequate in several ways, three of which I will now describe.

Safeguard A calls for, ''The conduct of a Science Based Stockpile Stewardship Program to insure a high level of confidence in the safety and reliability of nuclear weapons in the active stockpile. . . .'' I have already explained why this safeguard is inadequate.

Safeguard C calls for, ''The maintenance of the basic capability to resume nuclear test activities prohibited by the CTBT should the United States cease to be bound to adhere to this treaty.'' But when Senate staff visited the Nevada Test Site earlier this year they found funding and personnel problems which call into question the sincerity of this safeguard.

Safeguard F calls for,

> The understanding that if the President of the United States is informed by the Secretary of Defense and the Secretary of Energy (DOE)—advised by the Nuclear Weapons Council, the Directors of DOE's nuclear weapons laboratories and the Commander of the U.S. Strategic Command—that a high level of confidence in the safety or reliability of a nuclear weapon type which the two Secretaries consider to be critical to our nuclear deterrent could no longer be certified, the President, in consultation with Congress, would be prepared to withdraw from the CTBT under the standard ''supreme national interests'' clause in order to conduct whatever testing might be required.

This safeguard is particularly important. Each of the nuclear weapons lab directors has testified that this safeguard is of critical importance to them because it reassured them that President Clinton was not eliminating the possibility of resuming testing despite agreeing to a comprehensive, and in his interpretation zero-yield, test ban treaty. According to Dr. C. Bruce Tarter,

the director of the Lawrence Livermore National Lab, in a letter to Senator JON KYL of September 29, 1997, ''I regard of utmost importance the ability to exercise the 'supreme national interest' clause of the CTBT to address concerns that I have outlined here in my answers. This option mitigates the risks in pursuing a no-nuclear-testing strategy. We must be prepared for the possibility that a significant problem could arise in the stockpile that we will be unable to resolve. The fact that the President's Safeguard F specifically cites this provision reinforces its importance.''

In essence, the lab directors rendered their technical judgment on entering into the Comprehensive Test Ban Treaty based upon a political commitment. But the fact is that Safeguard F isn't even a commitment; it doesn't say the United States will resume testing if the lab directors can't certify a high level of confidence in the safety or reliability of a weapon in our nuclear stockpile. It doesn't say the ''supreme national interest'' clause will be invoked to resume testing if a problem is found which requires testing. Rather, it says that several different levels of interested parties all have to agree that there is a problem, and that they have to agree that the problem is in a weapon that the United States can't do without. So this opens the door for responding to a problem in our nuclear stockpile by deciding to eliminate from our stockpile entire types of our nuclear weapons. Removing weapons types with problems is a convenient way, after all, of eliminating problems from the stockpile. But it ignores the fact that we have these weapons in the stockpile because we need them.

Furthermore, Safeguard F is of little, if any, value because it doesn't commit to resume testing even if a problem is found in a weapon that it is determined the United States cannot do without. Safeguard F only makes this commitment: That, ''. . . the President, in consultation with Congress, would be prepared to withdraw from the CTBT under the standard 'supreme national interests' clause in order to conduct whatever testing might be required.''

To my knowledge, the United States has never made use of this clause in any treaty. But more importantly, we must recognize that neither the lab directors nor the United States Senate has received a commitment under this safeguard that testing will be resume if necessary. The only commitment here is that the President will consult with Congress and be prepared to leave the treaty to test. This safeguard should reassure no one.

It is a falsehood to say that this CTBT is ''The longest sought, hardest fought prize in arms control history.''

President Clinton has said that the Comprehensive Test Ban Treaty is, ''The longest sought, hardest fought prize in arms control history.'' The phrase has a nice ring to it; unfortunately, it is not true.

President Eisenhower, who imposed a testing moratorium from 1958 to 1961, supported the idea of a comprehensive test ban treaty. Except that the test ban he proposed was of limited duration (four to five years), and would have allowed low-yield testing. And during the 1958–1961 moratorium President Eisenhower authorized Hydro nuclear low-yield tests for safety reasons, which the Clinton administration maintains would violate the CTBT now before the Senate.

During the Kennedy administration the Limited Test Ban Treaty, which banned nuclear testing in the atmosphere, space, or underwater, was negotiated. No serious attempt was made to negotiate a comprehensive test ban treaty; this was also the case during the Johnson administration.

President Nixon's administration negotiated the Threshold Test Ban Treaty, but also didn't make any serious attempt to negotiate a comprehensive test ban treaty. There was no activity on this subject during the Ford administration.

During the Carter administration, the Peaceful Nuclear Explosion Treaty was signed. Serious consideration was given to a comprehensive test ban treaty, though, in Senate testimony in 1997, Dr. James Schlesinger, President Carter's Secretary of Energy, stated, ''[when] President Carter dealt with the issue of the CTBT, it was at a time when we were seeking a 10-year treaty and the yields of up to two kilotons would be permissible.'' In other words, President Carter favored a limited-term treaty that allowed for low-yield testing.

Neither President Reagan nor President Bush pursued a comprehensive test ban treaty. In fact, responding to the Hatfield-Exon-Mitchell amendment on testing in the Fiscal Year 1993 Energy and Water Appropriations Act, President Bush stated in a report to Congress,

> . . . the administration has concluded that it is not possible to develop a test program within the constraints of Public Law 102–377 [the FY '93 Energy and Water Appropriations Act] that would be fiscally, militarily, and technically responsible. The requirement to maintain and improve the safety of our nuclear stockpile and to evaluate and maintain the reliability of U.S. forces necessitates continued nuclear testing for those purposes, albeit at a modest level, for the foreseeable future. The administration strongly urges the Congress to modify this legislation urgently in order to permit the minimum number and kind of underground nuclear tests that the United States requires, regardless of the action of other States, to retain safe, reliable, although dramatically reduced deterrent forces.

Only the Clinton administration has actively sought an unlimited duration comprehensive test ban treaty. And only the Clinton administration has sought a zero-yield test ban treaty, though until August of 1995—two and a half years into President Clinton's first term—even his administration's proposals in the Conference on Disarmament allowed for low-yield testing.

President Clinton's statement that ''The CTBT is the longest sought, hardest fought prize in arms control history'' is false. I hope my colleagues will not be misled by the administration's transparent attempt to imbue this treaty with historical legitimacy it does not deserve.

Mr. President, we all agree that nuclear deterrence continues to be essential to the national security strategy of the United States. Where proponents and opponents of the Comprehensive Test Ban Treaty begin to diverge is over the question of whether nuclear testing continues to be vital to ensure the safety and reliability of America's nuclear deterrent.

The administration says that Stockpile Stewardship will provide us with the requisite confidence in our nuclear deterrent, and that this confidence will therefore be sufficient for our deterrent to continue to form the foundation of deterrence. It is my judgement that the Stockpile Stewardship is a well conceived and an important program, but we don't yet know whether it will become an adequate replacement for testing. And until we know this, it would be dangerous to bind our nation to a treaty that prohibits testings.

I have pointed out some of the more significant shortcomings in the Comprehensive Test Ban Treaty to explain that the Stockpile Stewardship Program's uncertainty, while itself sufficient justification to oppose the treaty, is not the only reason for such opposition. In failing to define the word ''test'' the treaty leaves ambiguous its most fundamental terms. There is no factual basis upon which to determine that the CTBT will be an effective nonproliferation tool. The CTBT is not verifiable. And it constrains the United States from maintaining high safety standards for the nuclear stockpile and from ensuring that our stockpile, in its configuration, is credible, a necessary condition for nuclear deterrence.

Furthermore, the so-called ''safeguards'' announced by the President are nothing but a crutch, demonstrating that the Comprehensive Test Ban Treaty cannot stand on its own merits.

Finally, I have taken the time to dispel the myth that this treaty before us is the ''longest sought, hardest fought prize in arms control history.'' This zero-yield test ban treaty is unlike any treaty attempted by any previous administration. While a few sporadic and mostly half-hearted attempts have been made to attain some form of a comprehensive test ban treaty in the past none of these efforts was in pursuit of a zero-yield, indefinite duration

treaty. There is not an unbroken lineage, extending back some 40 years, for this treaty, and it is factually incorrect to suggest otherwise.

Mr. President, arms control treaties must be judged by the straightforward standard of whether or not they enhance the national security of the United States. The Comprehensive Test Ban Treaty fails to attain this standard.

Given the limitations of current technology, it is simply not possible to be simultaneously for nuclear deterrence and for this Comprehensive Test Ban Treaty. The two positions are mutually exclusive.

In his book The Gathering Storm, Winston Churchill observed, ''Facts are better than dreams.'' ''Facts are better than dreams.'' Applying this observation to the Comprehensive Test Ban Treaty leaves one no choice but to oppose this treaty.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I find the leader's comment extremely fascinating. I want to set the record straight on a couple of minor details, as they are.

No. 1: The letter we sent was on July 20. The opening paragraph said:

> We urge you to hold hearings on the Comprehensive Nuclear Test-Ban Treaty and report it to the full Senate for debate. Most importantly, we ask this be done in sufficient time to allow the United States to actively participate in the treaty's inaugural conference of ratifying states to be held in early September.

We wrote that in July. The assumption, anyone in good faith would assume, was we have hearings now—July, August, and September. We had none. We did not have any. Zip. None.

The majority leader said, ''Hearings are underway now.'' That is his quote. They are not underway now. The day before the treaty, the Foreign Relations Committee held its first hearing, on the day after we are discharged of responsibility. With all due respect to my friend from the great State of Virginia, chairman of the powerful Armed Services Committee, the only committee of jurisdiction under the rules is the Foreign Relations Committee. Their input is important. We love to hear their opinion, as we do the Intelligence Committee. They have no jurisdiction. It gets sent to our committee, not to theirs. And we have 1 day of hearings after we are discharged? Give me a break.

Mr. WARNER. Will the Senator——

Mr. BIDEN. I will not yield now. The Anti-Ballistic Missile Treaty had 8 days; SALT I, 8 days of Foreign Relations Committee hearings, 18 days on the floor of the Senate; the INF Treaty in 1988, 23 days of Foreign Relations Committee hearings, 9 days on the Senate floor; Conventional Forces in Europe Treaty, 1991, 5 days of Foreign Relations Committee hearings, 2 days on the floor; START I, 19 days of hearings in the Foreign Relations Committee, 5 days on the floor; START II, 1996, 8 days in the committee, 3 days on the floor; chemical weapons, 14 days in committee, 3 days on the floor; NATO enlargement, 7 days in committee, 8 days on the floor; Comprehensive Test Ban Treaty, 1 day of hearings after we are discharged. No committee report.

Look on your desks, I say to my colleagues. Find the report. Find me a report that makes any recommendation. Come on. Come on, this is a stacked deck. The idea that we are going to vote on a treaty that everyone acknowledges, opponents and proponents, is maybe the single most significant treaty we will vote on to determine the direction of this country in terms of strategic rationale, and we do not even have a committee report?

If you want to go down the list, the number of months between the time the treaty was sent to us and the time it got to the floor, we are talking over 2 years. In the case of ABM, 2 months; INF, 4 months; CFE, 8 months; START I, 13; START II, 32; chemical weapons, 37. We keep going higher and higher. Look at who is in charge when we have these.

But, my Lord, the idea we have had hearings, we have had sufficient time to consider it, don't get me wrong; in each of these other treaties, an incredible, valuable contribution and report was filed by the Armed Services Committee and an incredible, valuable position was taken and a report by the Intelligence Committee. They were absolutely necessary and needed, neither of which are available now. That is why Senators are arguing about the determinations.

For example, I just spoke to General Powell, as my friend from Virginia spoke to General Powell. I wrote down exactly what he said. I just got off the phone with him.

He said the most important reason why he wants this delay is so it does not get defeated. That is an important little point.

The second point he said was: I still support this treaty.

The third point was: But in light of the way this is being taken up and the confusion raised, it is better for the country and everybody to have all this sorted out in an orderly fashion so we all know what we are talking about.

He knows what he is talking about. He still supports the treaty, but he made a central point, the point Senator HAGEL made, and that was: We have not had sufficient debate. Therefore, we can have the kinds of comments made, honest disagreements, my friends from Virginia can say: This is not verifiable. And the Senator from Delaware says: It is verifiable.

For example, my friend from the Intelligence Committee, the distinguished Senator from Arizona, quoted in his opening statement the Washington Times with regard to verifiability. I will discuss this in detail later. He is on the Intelligence Committee. He knows nobody in the intelligence community came in and said they have evidence that Russia has, in fact, detonated a nuclear weapon. He knows that.

Mr. KYL. Since the Senator says I know certain things, may I simply interject to make this point: As Senator BIDEN is well aware, it is important for Senators to quote only open-source material, such as newspapers, and never to refer to matters in the Intelligence Committee which are classified. So this Senator will refrain from quoting classified material and will be bound by our rules only to refer to articles and newspapers, such as the Washington Times.

Mr. BIDEN. I respectfully suggest if you quote newspaper articles and you have some reason to believe a newspaper article is not consistent with what you know, then maybe we should not quote the newspaper articles.

The point I am making is a very simple one: Nobody in here has enough evidence, based upon a record, other than the probably 10 or 12 of us to whom responsibility is assigned to know this material; I doubt whether if you poll this Senate, intelligent women and men, that their degree of confidence—and I will be devil's advocate—for or against the treaty is as high as it has been in the past with other treaties because we have had extensive debate before.

When we talk about this notion that we are, in fact, in a position where what we asked for—and I wish the majority leader was still here. It was the Biden resolution that was going to be attached to an education bill that called for a sense of the Senate that we, in fact, hold hearings. Standing in this well, the leader—and he has acknowledged this and he made a point of this—walked up to me and said: If you will withhold that resolution, we can work out giving you a vote on this. He did say that, and I said fine.

The point is, we were not asking for a vote without hearings, ever. The point is also, accurately stated by many, in retrospect, in hindsight, should some of us have objected to the unanimous consent agreement? The answer is yes. Yes.

Here is where we are, and it is true, it is totally within the power of any single Senator to insist we vote. If that is the case, so be it. I am ready to debate the last few hours we have, and we vote. But I defy anyone to suggest this is the way in which they want the Senate in the future on other treaties of any nature, arms control or not, to proceed, which is to wait 2 years, do nothing, have no hearings in the committee of jurisdiction, wait until the

committee of jurisdiction is discharged, hold 1 day of hearings, leave 14 hours of debate with one amendment available to each leader. I do not ever remember any treaty on which we restricted amendments or covenants. I do not remember that.

On the chemical weapons treaty, we had a whole range of amendments, all developed in the Foreign Relations Committee after extensive hearings.

So, folks, this is not the way to do business. But if we are going to do business this way, so be it. I cannot do anything about it except agree with the Senator from Virginia that we should not go forward. I agree with former General Powell. I agree; we should not go forward. If we do, we do. But it is going to be upon those who conclude that this is the way we should conduct business.

I think we are setting bad precedent after bad precedent after bad precedent by the way in which we are proceeding. Again, it is true, tactically those who oppose the treaty are in a very strong position now. I give them credit for their tactic. But I hope they will put tactical advantage beneath substantive responsibility.

If their case is as strong as they say, I would assume they would feel even better to have it debated at length, have the committees thoroughly explore it, and have it made clear to the American people so that when they vote it down, the American people—on average, 80 percent of whom support the treaty, based on all the polling data anybody has read—will not have to wonder why they went against the public will. They will be able to make their case, even if it is for no other reason than that.

So, Mr. President——

Mr. WARNER. Would the Senator yield for a question?

Mr. BIDEN. On his time, I am happy to yield. Again, I apologize to my friend from Georgia. I told him he could come and speak. I will yield to him. I did not anticipate the majority leader coming to characterize the circumstances different than—he is entitled to do that; I am not criticizing him—the views of the Senator from Delaware of the characterization.

Mr. WARNER. On our time, Mr. President.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, this is the time for cool heads, sound minds, to make most difficult decisions. I listened very carefully to our distinguished majority leader. And I have listened to my colleague and friend from Delaware.

My colleague from Delaware dwells on the process. This situation today is solely the result of the unanimous consent agreement, proposed at first by the majority leader of the Senate, and studied for a period of 3 days. Our majority leader has a right to believe that 3-day period of study enabled my good friend from Delaware and all others to examine this situation and determine, on the fairness, the propriety and, indeed, the national interest of bringing this treaty up today and Tuesday for floor debate.

And for having hearings in the Senate Armed Services Committee—I am sorry that my friend somewhat disparages the jurisdiction of this committee. But we have the jurisdiction. And I can point to the rules over the critical part of this debate, and that is the stockpile of nuclear weapons; that is the exclusive province of our committee. It is an integral part.

In that vein, we held 3 days of hearings. One was behind closed doors, when the intelligence community, to the extent I can reveal it, on their own initiative brought up the need to start a total new survey about the ability of this country, and indeed others, to monitor the terms of this treaty. We did not ask for it. They did it on their own initiative. They brought it up. That survey and study will take a period of some months and go into next year.

But the point is, I say to my distinguished friend from Delaware, this institution operates on the basis of rules. It was total comity between the distinguished majority leader and the distinguished minority leader for a period of 3 days; and finally the Senate—all 100 Senators—participated either by being on the floor or consultation with their respective leaders in the unanimous consent agreement. So process is behind us.

To me, to constantly bring up, as the Senator from Delaware did, the issue of the process, it has been covered by our distinguished leader today. It has been covered by the Senator from Delaware. We should move forward at this moment with this serious debate on the fundamental issue; and that is whether or not this treaty is in America's national security interest.

I think the press is accurately reporting the facts of the hearing held yesterday, again in the Armed Services Committee, when the Directors of the laboratories—these are not politicians, these individuals who have served in their capacity as top scientists for our country for 10, 12, 15 years—came before the Senate Armed Services Committee and told us, with the Secretary of Energy, their boss, sitting right there, their own opinions.

Any reasonable individual, in examining their statements in their totality, must come to the conclusions which are accurately reported in the very article that appeared today in the New York Times: They cannot give that degree of opinion that is needed to move forward on this treaty. They simply cannot do that.

Mr. BIDEN. Will the Senator yield on my time?

Mr. WARNER. Yes, of course.

Mr. BIDEN. I want to make two points.

What I said about the lack of an intelligence community, CIA conclusion that Russia has exploded a nuclear device was cleared by the CIA to be able to be said. The operative word is ''conclusion.'' They reached no such conclusion, and that was cleared. I did not speak out of turn.

No. 2, with regard to yesterday's—and through the kindness of my friend from Virginia, he has allowed a lowly member of the Foreign Relations Committee to sit in on his hearings. Yesterday, in front of the Armed Services Committee, all three lab Directors testified that our stockpile today is safe and reliable.

Let me read what Dr. Browne said. Dr. Browne said:

> I am confident that a fully supported and sustained program will enable us to continue to maintain America's nuclear deterrent without nuclear testing.

Let me further lay out for you that each Director—all three—answered this when Senator LEVIN asked the following question. Senator LEVIN asked the following question to all three Directors:

> Are you on board with this treaty?

Every single one of the lab Directors said, ''Yes.''

People will say: How can the honorable Senator from Virginia—and he is—say what he said and the Senator from Delaware say what he said? How can they be in disagreement? I will answer the question for you.

Remember, I said at the beginning ''keep your eye on the ball here.'' It is true, if we do not fully fund the stockpile at $4.5 billion per year for 10 years, that all three of them lose confidence in the ability to do that.

It is kind of ironic. The main reason why we fear that we will fund this—and I challenge anyone to show me this is wrong—is because a Republican-controlled House of Representatives is balking at funding it, not because we have not; we have funded it. The distinguished ranking member of the Appropriations Committee is sitting behind me. We did our part.

Mr. WARNER. Mr. President, I believe the Senator from Virginia has the floor for the purposes of a question. But the distinguished Senator from Georgia—it had been indicated he could speak.

Mr. BIDEN. If we will all yield, I will yield. I just wanted to set the record straight.

Mr. WARNER. We will resume our colloquy thereafter. I think it is important that we have our colleague's remarks.

Mr. BIDEN. I do, too. I think it is very important we have the benefit of precision—precision—precision.

Mr. WARNER. Following that, we could resume our colloquy.

Mr. BIDEN. Following that, I will yield to my friend from New Mexico.

Mr. WARNER. Having had the floor, I have to reply to the assertions you made about yesterday's hearings over which I presided and sat there for 5 hours and 10 minutes.

Mr. BIDEN. Mr. President, I challenge my friend between now and the time——

Mr. WARNER. I will reply to that challenge, Mr. President.

Mr. BIDEN. Let me say it another way. I respectfully request my friend answer two questions while he is getting ready to respond: Did or did not Dr. Browne say: ''I am confident that a fully supported and sustained program will enable us to continue to maintain America's nuclear deterrent without nuclear testing''? I will give him that. Secondly, would he be able to respond and tell me how I am wrong, that when all three Directors were asked, ''Are you on board with this treaty?'' and every single one answered: ''Yes.''

Mr. WARNER. I will provide that. We have to extend Senatorial courtesy to our colleague.

Mr. BIDEN. I yield the floor.

Mr. WARNER. I will be here throughout the entire day, Mr. President.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I compliment the Senator. The debate is now beginning to occur on this very important subject. I associate myself with the remarks of the Senator from Virginia, as he explained to the Senate and to the public the nature of the procedure by which we have arrived at this event and this process that the leadership of both sides of the aisle, over a 3-day period, concluded, which was agreed to by unanimous consent, would be the process for discussing the treaty. It is very important, in light of certain debates that had more to do with the process than the treaty. That was decided by the leadership. We are now debating the treaty, not the number of hearings, et cetera.

In the modern Senate, in my judgment, individual Senators come to decisions on monumental issues, such as this treaty, far more from their personal and internal counsel than they do whether or not there have been a series of hearings. Not very many Senators are able to attend those hearings, but they are gathering the information unto themselves, and they have been weighing the facts about this treaty for a long, long time. That is where the personal decision is likely to be made. I know that is the case in my case.

Therefore, I rise in strong opposition to the Comprehensive Test Ban Treaty. Despite what we are hearing from the other end of Pennsylvania Avenue and the other side of the aisle, ratification of this treaty is dangerous and would jeopardize the national security of the United States. President Clinton, the strongest proponent of this treaty, claims it would ''constrain the development of nuclear weapons, contribute to preventing nuclear proliferation, and enhance the ability of the United States to monitor suspicious nuclear activities in other countries.''

I believe the President and those advocates of that point of view are wrong on every count. The treaty will not prevent countries from obtaining or developing nuclear weapons. Take the 1970 Nuclear Non-Proliferation Treaty, a treaty designed to stop the proliferation of nuclear weapons. Despite its good intentions, which, of course, this treaty also embraces, nuclear proliferation continues today for one simple reason—nations act in accordance with their own national security interests.

The 1970 Nuclear Non-Proliferation Treaty did not prevent countries such as China, Iran, and Pakistan from acquiring or transferring nuclear technology. We cannot be so naive as to believe that such countries will behave differently if we pass this treaty. We must also take into account that our own conventional arms superiority will encourage other nations to cheat on the treaty.

My point is this: As the world understands that the United States cannot be challenged in conventional warfare—we are clearly the most powerful Nation in the world on any conventional act of warfare—that means other nations which may be adversaries will be pushed toward the need to have nuclear capacity as a quid pro quo to the United States. Strangely enough, even the administration admits that the treaty does not represent an effective deterrent for nuclear proliferation or modernization. In testimony before the Senate in 1998, the Acting Under Secretary of State for Arms Control and International Security Affairs said he could not identify a single nation that wouldn't seek nuclear weapons, if the treaty were to enter into force.

Second, the treaty is not verifiable. Former Director of Central Intelligence, James Woolsey, testified before the Senate Foreign Relations Committee last year that ''a zero yield Comprehensive Test Ban Treaty is extraordinarily difficult to the point of impossibility to verify from afar.''

The distinguished chairman of the Foreign Relations Committee recently brought to this body's attention a Washington Post article which reported that the CIA cannot monitor low-level nuclear tests by Russia. So while our Central Intelligence Agency is telling us it can't verify compliance with the treaty, our administration persists in its misguided efforts to ratify the treaty. In effect, this administration is proposing that the United States adhere scrupulously to such a treaty while other nations will not be verifiably doing so by continuing to develop and acquire nuclear weapons. Ratification, then, means that the rogue and other nations would be gaining militarily over the United States.

Third, despite what the administration would have us believe, nuclear testing is essential to maintaining a strong and credible U.S. nuclear arsenal and deterrent. Most experts agree that nuclear tests are necessary to maintain the proper functioning of nuclear weapons and warheads and to modernize the existing stockpile for enhanced safety and effectiveness.

I want to digress a moment. If the world ever begins to believe that our arsenal is less than effective, it encourages bad behavior. If we ever come to believe we are not certain about our nuclear arsenal and its capacity, we become destabilized as a nation.

Many weapons believed to be reliable and thoroughly tested nevertheless developed problems which were only discovered and could only be fixed through nuclear testing. One-third of all the weapon designs placed in the stockpile since 1958 have required and received postdeployment nuclear tests to resolve problems. In three-quarters of these cases, the problems were only identified and assessed as a result of nuclear testing and could only be fixed by nuclear testing.

The proponents of the treaty think we can do this through computer modeling, but most experts will quickly tell us that we don't know whether the computer modeling will work and probably won't know for another 10 years.

In short, only by testing will the United States be able to maintain a nuclear stockpile that is able to defend against threats from abroad, rogue nations, to provide a credible deterrent to hostile nations and maintain confidence in the safety and reliability of our nuclear weapons, and to make sure those other nations understand we have a reliable, effective nuclear deterrent.

It is important to note that the value of America's nuclear arsenal diminishes dramatically if nations, rogue or otherwise, come to believe our deterrent is not safe and not reliable. The nuclear umbrella extended for decades to cover allies such as Germany and Japan has been an important factor in convincing these technologically proficient nations not to acquire their own weapons, precisely because of the safety and reliability of our weapons. So what kind of decisions do they begin to make if they ever believe they cannot count on the U.S. nuclear deterrent?

Mr. President, I want to make a couple of closing comments.

The other day, Senator BIDEN of Delaware, in his earlier remarks about the treaty, said something to the effect that this decision would ''hang over the heads'' of each of us who will be called upon to vote. The inference was,

well, if those of us who oppose the treaty make an error, that will hang over all of our heads. I point out to the Senator from Delaware that this decision will live with each of us, no matter what decision we make.

Mr. BIDEN. Will the Senator yield on my time?

Mr. COVERDELL. Yes.

Mr. BIDEN. The inference was not that those who voted no were the only ones who would be taking a chance; the inference was that whomever among us turned out to be wrong is going to, in fact, have a long time to pay.

These are big stakes. If, in fact, you vote no, and if proliferation accelerates, whether or not because of this, mark my words, those who voted no will pay. Conversely, if you vote yes and we find out a year or 2 or 3 from now that all those horrible concerns about the treaty turned out to be true and the Soviets have a superiority and the Chinese are doing this, then those of us who voted for the treaty will be held accountable, as we should. I wasn't applying it to one side.

Mr. COVERDELL. He has clarified and made the very point I was going to make—that, clearly, if somehow proliferation accelerated, those who have voted no would have to feel they made an error in judgment. On the other hand, if those who voted for it found themselves in a situation where the U.S. deterrent had diminished, that the new testing procedures were not as effective, and that world rogues had suddenly become very weighty in the world, much would hang over their heads.

My closing point is this: Which mistake is worse? In other words, if the mistake is another nation has a weapon that it didn't today, that would not be good. I personally don't think this treaty is going to stop those nations. But, on the other hand, if the conclusion of the error is that we are unable to defend ourselves, first—or secondarily, we have somehow destabilized our allies and have made the world less safe, which is a worse error? I think of a poster I have seen in the office of Senator GRAMM of Texas. It says: When the day comes, if the lion lies down with the lamb, we better be darn sure we are the lion.

The emotion the Senator has expressed today is laudable. It is a weighty decision. I think the Senator gives more to the reports and the process than I would, from my limited experience. He has been here a lot longer. As I said, while he was off the floor, I think personal counsel has a weightier importance on these kinds of issues. In the limited time I have been here, we have been through three of them now in the process. But if I were to have to pick between where we would be on the balance of mistakes, I would pick the safer one, where we have the capacity to defend ourselves.

Mr. BIDEN. Mr. President, on my time, in response, I think the Senator from Georgia has narrowed it precisely. Let me tell you why I think the side on which he errs is the biggest chance. There is a safeguard F in this treaty which says that if at any time those laboratory Directors certify that they cannot certify the reliability of our stockpile—and they must do it once a year—and communicate that to the Secretary of Defense and the Secretary of Energy, and they concur with that judgment, which most assuredly they would, barring their place in history being besmirched in a significant way, then we have in this treaty the absolute authority, under safeguard F, to withdraw.

So the reason I believe we should err on the side of not testing nuclearly—knowing that if, in fact, it becomes necessary to safeguard us, we can get out legally in a moment's notice—is that failing to take that very small chance, we open up a door that cannot be closed, or is difficult to close. If, as a consequence of no treaty, China begins significant testing and MIRVs ICBMs and moves them from 18 to 800, or 8,000, or 5,000, if in fact Pakistan and India test further so they can deploy their weapons on the nose cones of missiles that can be fired, it is incredibly more difficult to turn that clock back, to put that genie back in the bottle, than it is for a President of the United States, upon the recommendation of the Secretaries of Defense and Energy, saying, Mr. President, get out, get out.

The last point I will make is this: I know of no program—and I stand to be corrected—where there has been a quantum leap in the capacity of a country that has taken us by total surprise, where we have had less than a year's notice. The likelihood of any fundamental change in the strategic balance during the year period, during the last certification and the next certification, is not reasonable. We are the only Nation in the world with the sophisticated capability to even approach that possibility. So that is why I respect my friend from Georgia, and he knows I do. That is why I decided we are taking very little chance relative to a gigantic chance if we turn the treaty down.

I yield the floor.

Mr. COVERDELL. Mr. President, the Senator from Delaware knows the respect is mutual. I just point out that people of honor and good faith can come down on very different sides of these questions, as we have seen among experts.

Ultimately, each of us will have to personally balance this equation. The political process that has already developed this treaty is the very thing that worries me about the escape clause you talk about. I don't have any confidence in it. I just don't believe, as you do, that this treaty will put any genie in the bottle. I will close with that. I admire the Senator from Delaware for his work. We simply have come to two different conclusions in this matter.

I yield the floor.

Mr. BIDEN. Again, as usual, my friend from Georgia goes to the heart of the issue. If you put everything else aside, you take all the detail away, you will find at its root—I am not suggesting that everybody who opposes this treaty doesn't believe everything they are saying; they do. But at its root, it comes down to a belief that has been the case in almost all the debates on treaties—and I am not suggesting that everybody has opposed every treaty. But they have argued one final piece, and that is simply that they lack faith in the political will of this country to do whatever is required. That has been the closing and legitimate argument raised. It was raised in START I, START II, SALT I, and SALT II.

The issue was whether or not we would so change the political climate that we lull ourselves to sleep. My friend from New Mexico remembers the argument that we would not have the political will to reengage. It is a legitimate argument. I do not give it short shrift. I think it is the single most serious argument against this treaty.

I will close by saying, as the kids say, I will put my experts up against your experts. I have more of them, numerically.

Mr. President, I think it is our turn. I yield 10 minutes to Senator BINGAMAN.

Mr. BINGAMAN. Mr. President, I thank the Senator from Delaware, Mr. BIDEN, for yielding time and also for his eloquent statements in opposition to going to a vote on this treaty.

First, I know everyone says we shouldn't talk about the process, that the process is history. But I think we should talk about the process and talk about the fact that next Tuesday is not the time this Senate should dispose of this issue. The reality is that there is a lot of uncertainty and a lot of confusion.

I learned early in my career that when you are uncertain, the best thing to do is sleep on it, take a little time, and let the issue resolve itself in your mind before you move ahead. And clearly there are a lot of unknowns out there that we need to know before we finally vote on this issue.

I hope that leadership—particularly the majority leader—will find a way to step back from this vote and give the Senate time to get the newest estimate from the intelligence community about what the capabilities of Russia are with regard to low-yield weapons development and also to get other expert advice.

Clearly, this is an issue of monumental importance. As we start a new century, we should not rush to judgment before we have given every Senator an opportunity to learn the issue

and to understand the implications of it.

Our nuclear arsenal was developed, and has been maintained, because we believe having a safe and credible and reliable nuclear arsenal has improved and continues to improve U.S. security. I believe that. I am sure we will continue to maintain that nuclear arsenal as long as we still have that judgment.

The Comprehensive Test Ban Treaty, which is the issue now before us, raises the question of whether we can continue to maintain our nuclear deterrent and maintain our national security through having that nuclear deterrent under a regime of no additional nuclear testing. I believe we can.

I believe the benefits we derive from going ahead with this treaty and in slowing the spread, and the improvement, of nuclear weapons around the world by others make this treaty very much in our national interest.

Some have argued that without the ability to test nuclear weapons, we cannot have 100-percent confidence that those weapons will work as intended. I agree with that. I think it is undoubtedly true that an unlimited testing regime will give us a higher degree of confidence in our own nuclear weapons than no testing at all. Clearly, that is true for all of our potential adversaries as well. They will do better at developing weapons, and they will have a more capable, reliable nuclear arsenal to point at us—potential adversaries will—if we go ahead and have them pursue unconstrained testing.

But we can, in my view, have sufficient confidence in the reliability of our weapons through the work we have labeled the Stockpile Stewardship Program. This is a program that has been discussed frequently on the Senate floor. It is one I have spent many hours studying and trying to understand in the nuclear weapons laboratories in my State—Los Alamos and Sandia.

I think we need to balance against this concern about lack of 100-percent confidence. We need to balance against that the consequences that would result from a rejection of this treaty by the Senate.

Senator MOYNIHAN spoke about the likely reaction of a rejection of this treaty in India and Pakistan, both countries which have demonstrated their nuclear capability already and are on the way toward developing a real nuclear arsenal that can be used against each other or other countries.

Other Senators have talked on the floor about the likely effect of a rejection of this treaty on China or on Russia. The simple fact is that the United States is far ahead of any other country in the world in our ability to maintain our nuclear deterrent under a no-testing regime.

Our allies—and that includes our allies who have nuclear weapons—believe it is in their interest and in the interest of the world for us to go forward with this treaty and believe that, on balance, their security will be enhanced if we go forward with this treaty. If that is their judgment—those nuclear-capable countries depend much more on testing than we do—that a no-testing regime will, on balance, improve their national security, then I have trouble seeing how entry into a test ban treaty can put us at a comparative disadvantage when we have tremendous capability to determine the reliability and safety of our weapons without testing—not 100-percent capability, but we have great capability and capability that far exceeds that of any other potential adversary.

Let me say, in closing, I would like to go back to this issue of procedure and where we go. Since it is clear to me, and I think to all Senators and all observers of the Senate, that the two-thirds votes necessary under our Constitution to ratify this treaty are not present today in the Senate and are not likely to be on Tuesday, I think it would be a tragic mistake for us to go ahead with that vote next week. I hope very much that cooler heads prevail, as the Senator from Virginia said earlier in the discussion. I hope cooler heads prevail and we find a way to put this off to a time when we can approach it with more knowledge and better judgment.

In the final analysis, the question we must decide is whether this treaty will reduce the proliferation of nuclear weapons, reduce the number of states with nuclear arsenals, and lessen the likelihood of nuclear weapons being used in the next century. That is the issue before us. I believe it will accomplish each of those end results. I believe the treaty will have that effect. When it does come to a vote, I hope very much that two-thirds of the Members of this Senate have the good judgment to support the treaty.

Mr. President, I see there is another Senator wishing to speak. I yield the floor, and I yield the remainder of our time.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I am excited and optimistic about our next century and about the next millennium. We made great human technical progress in the 19th century. A lot of things happened in that century that were good. We continued that technological progress in the 20th century. Unfortunately, the forces of totalitarianism, war, fascism, and communism have run loose in the 20th century to an unprecedented degree. Millions died as a result. I do believe, though, the next century, the 21st century, can be the greatest in the history of mankind.

Hitler and his forces of national socialism were crushed in this century. Communism and the ''Evil Soviet Empire'' collapsed. The world is a better place with even greater possibilities. We can work together and promote peace, order, stability, and ensure economic, technological, and medical progress to an unprecedented degree. This, I believe, can and will happen.

Yes, there will be problems. Ambition, ignorance, greed, and hatred will not be eliminated from the face of this Earth. These will abide. But from a global perspective, they can be contained, and peace and progress can be expanded in the next century to an unprecedented degree. For this to happen, however, the United States must lead. It cannot be Russia. They have deep economic and political problems. It can't be China. They are driven by the Communist chimeras and old ambitions. It can't be Europe, for they have not achieved the political unity or the military strength to act quickly and decisively. The United States has the burden to lead for peace. And not just peace—we need peace with justice, a much harder goal.

We are a nation composed of immigrants from all the nations of the Earth. People from all over the world came here to live in freedom. We have also been blessed with the economic, technological, and military strength in addition to the cultural diversity that enables America to be a unique world leader.

Yes, many criticize the United States, but they all fundamentally recognize our critical role in a stable and healthy world order. This doesn't mean we are to be the world's policeman for every little matter, but we must lead with confidence and strength. It is necessary, therefore, for our country to have credibility when we speak, to be respected by all, to be feared by expansionist and dangerous forces, and to continue, with even more skill, our self-confident world leadership that we have shown in recent years.

That is why I have decided it is necessary for me to oppose the Comprehensive Test Ban Treaty. I am of the firm opinion this treaty will do at least two things. It will certainly cause our current nuclear stockpiles to be degraded. Simulated tests, all agree, can never be as good as actual tests. Secondly, it will reduce our capacity and, more importantly, perhaps, our will to improve our weapons systems—to keep up with scientific advancements. The result, therefore, will be that the United States will see its nuclear power degraded and its capacity for world leadership eroded. This means less stability in the world. Our allies will have less confidence in our nuclear umbrella. Our adversaries will be more confident, more active, more willing to be aggressive and to push the limits. In addition, our confidence in our own ability to act and lead will be diminished. Our President and Congress must be certain of our ability to act.

Senator WARNER, chairman of the Armed Services Committee, a tremendous patriot with extraordinary experience in matters military, a man who loves his country, who supports our President when he can and believes he should, who opposes this treaty steadfastly, recently said there can be no doubt in the credibility of that stockpile. That is it, fundamentally. We can't have doubts, our adversaries can't have doubts, and our allies can't have doubts.

There have been a lot of discussions about verification. This treaty cannot be adequately verified. We have talked about a lot of other issues today. Safety—how can we be sure of safety if we are not testing our weapons?

I will discuss for a few minutes specifically what I believe is a fundamental danger or effect of a complete ban of all testing forever, which this treaty does. In effect, the goal of this treaty will be and is to cap, to freeze, to stop improvements in weapons systems. It will include our weapons systems.

Some say: JEFF, we can still do research and they don't have to do all this testing.

That is not entirely accurate. Yesterday, as the Director of the Sandia Laboratory testified, they have design data at this time that could be used to produce a new weapon, but they cannot test it to bring it online. That is a significant statement, I believe. We have that capability now, and we are not going to use it.

Of course, basic weapons, the Hiroshima-type bomb, do not need to be tested. Everybody who is of scientific sophistication in the world—and there are 44 countries today that are either estimated to be or are actually nuclear-capable—all over the world people have the capability of building a basic nuclear bomb. We ought to know this ban would have no impact on that. This treaty would have no impact on buying and selling of nuclear weapons from a country that has already produced.

What this treaty is doing—and I want Members to think about this—is attempting an act that is extraordinary. We will attempt to stop research and testing on new materials and new weapons. If the United States signs such a treaty, we know we will comply with it; we will comply with the spirit and we will not continue to research and develop through testing. Such a decision, I believe, would be unwise and would be contrary to human nature and our tendency to progress, improve, and advance —characteristics of humanity.

To pass a treaty such as this will certainly slow our interest in modernization, but it is not likely to slow the research of other capable nuclear nations. They are behind. They—many, at least—will be determined to catch up. They will use this treaty to catch up, similar to the yellow caution flag when there is an accident on a race course—allowing those off the lead lap to catch up to the leaders. CTBT will allow other states that opportunity.

Secondly, in their efforts to catch up, our adversaries may well even achieve a breakthrough, a technological advancement that could leapfrog them even beyond the United States into nuclear leadership in this world. That will not only be bad for America, it will be a setback for stability and peace and justice for the whole world. We have an obligation to work to promote peace and stability.

The goal of this Nation, I so strongly believe, is to be a preeminent world power. We have to understand what comes with that: The responsibility to be strong.

President Reagan said a number of years ago:

> Our policy is simple: We are not going to betray our friends, reward the enemies of freedom, or permit fear and retreat to become American policies, especially in this hemisphere. None of the four wars in my lifetime came about because we were too strong. It is weakness—weakness that invites adventurous adversaries to make mistaken judgments.

I think that is the history of mankind. Winston Churchill warned England about that when Nazi Germany was on the early march and they could have been stopped earlier at much less cost.

I have seen it argued by some that the passage of this treaty will freeze our nuclear leadership in place. I believe that is not sound reasoning. That is a foolhardy concept. It will stop America from improving our arsenal. It will stop America from improving our technology. It will allow, I submit, our adversaries to catch up and, God forbid, pass us.

Some may believe all the world powers are the same. They used to say we are just a bunch of scorpions in a bottle. I disagree. The United States has a unique role in the world, a unique ability to lead for good. Our leadership has been good for the world. I defy anyone to dispute it. When historians write of our role in the next century, I want them to write that we used our power to lead the world in great progress toward peace, with justice and economic and technological and medical prosperity.

This goal is not going to be furthered by fuzzy thinking. It will not be achieved if we just sign away, by this treaty, capabilities we have that enable America to lead. That is why we are able to lead—because we have superiority. If there are two football teams—and in Alabama we have a lot of them—some of them like to throw a pass and some maybe cannot throw a pass so well. It would be nice to have a treaty beforehand that the one with the ability to pass would sign away that ability. That doesn't happen on a football field, and it won't happen in the world.

Our leadership is important, and our military power is crucial to it. That is the solid foundation on which we have to build. We benefited from a certain number of treaties with the Soviet Union that dealt with nuclear weapons in the past. I believe we can continue our efforts to reduce the number of weapons in our arsenal. I believe we can perhaps reduce by 50 percent the nuclear stockpile we have. Yes, we can do that. There are a lot of things we can do that promote peace. But to ban all testing of all nuclear weapons? That is a mistake. I do not believe that will promote peace.

I do not believe so. I favor our doing all we can do to stop proliferation, the spread of nuclear weapons around the world. The truth is, this will probably be done best on a nation-by-nation basis. When Pakistan and India had their fuss earlier last year and one tested, then the other one tested. Why? Because they felt their existence at stake, and no piece of paper is going to stop any nation from developing what it believes it has to develop to maintain its freedom, to maintain its autonomy, its independence as a nation. That will not happen.

What we have done, as the United States, is provide a nuclear umbrella. We have been able to say to nations: We are not going to let other nuclear powers do you in. Don't develop weapons, we will be there, we will stand firm. We have the capability to destroy anyone who attempts to destroy you.

People have relied on that. Many nations have. Germany and Japan could easily develop nuclear weapons. They have declined to do so based on our assurances.

Mr. BIDEN. Will the Senator yield for a question?

Mr. SESSIONS. Yes.

Mr. BIDEN. Why did they ratify the treaty, then, and why did they directly contact us in an extraordinary way through their leadership and say: Please, U.S. Senate, ratify it?

Mr. SESSIONS. I appreciate that question. It is my view—sometimes it is internal politics. Sometimes, though, it is a lack of being able to walk in our shoes.

This is a very significant time for us. We need to ask ourselves who we are as a nation. We are in a class of one. A treaty such as this would be good for Japan. It would be good for Germany, perhaps. But it would constrain us and, in the long run—they may not realize it—it could jeopardize our ability to guarantee their freedom.

So on the proliferation question, 44 nations have this ability to develop nuclear weapons and have them. It is already out there. Others are going to continue to get it. It will not stop.

I say to America: Please listen. We are a unique world power. We must use

that power for good. We must maintain nuclear leadership in the world, and we cannot forfeit our power by signing it away for a treaty at the urging of politically correct and fuzzy thinkers.

I have a vision in my mind about treaties. We have to watch them, I think. It is Gulliver in the land of Lilliputians, stretched out, unable to move because he has been tied down by a whole host of threads. Powerful Gulliver, unable to move, tied down by strings and threads of multiple numbers.

We are not one of equals. The United States is in a category of its own at this point in history. This treaty might be good for Japan, England, France. It will not be good for us, and in the long term, the long run, I am convinced for world peace.

I remember—I wasn't in this body—a number of years ago in Europe there was a fuss—Senator WARNER remembers it, and Senator BIDEN—about whether or not to put Pershing nuclear missiles and intermediate-range missiles into Germany. The Germans, despite the most intense anti-nuke Greens and so forth who were there, agreed with President Reagan to do so. Critics said it would cause war and could lead to nuclear war. But the truth is, it led to peace. That strength, that commitment unequivocally made, saying we will not allow Germany, we will not allow Europe—we are willing to put our necks on the line, our nuclear power on the line, to guarantee the independence and freedom of Western Europe. It was a blow for peace. It helped lead to the collapse of the Soviet Union.

I recall a few years ago a discussion on Firing Line between William Buckley, Jr. and a liberal editor. At the end of the wonderful discussion, the editor poured forth his hopes and dreams for a more peaceful world.

Mr. Buckley paused respectfully for a while and then he said:

> Well, friend, I hope you won't mind if I work to defend the Republic while you are working on these grand plans.

That is where we are today. I believe we have a burden. I believe we ought not to sign away the unique capacity that we have as a nation to improve our nuclear arsenal. One of the things we do so well, and most people may not know, is that we have produced sophisticated, highly targetable weapons—weapons capable of being very accurately targeted to attack military targets, hardened defensive targets, not just aiming them at population centers. So the extent to which we can improve our arsenal may give us the ability to be stronger militarily and actually avoid any more loss of life than would be necessary in such a conflict.

I think we are at an important time. The President asked for and wanted this debate. It is not as if anybody did not know it was out there. It had been discussed for quite a number of years. The truth is, there are not votes to pass this treaty. Some say maybe we ought to pass on it and not vote on it this time and keep it alive. I thought about that. Some good people think that may be the right idea. But I have my doubts.

I think it might be a good thing for the world to see the Senate vote this treaty down. It is not a good treaty. I think it would send the world the word, and I think around the capitals of the globe we would have some hard-headed world leaders saying: Wow, we thought the United States could be moved by all this anguish and talk and pleas and political correctness. This is odd. They are able to act in their own self-interest and show leadership. I am impressed.

I think that might be the long-term result of this, instead of some of the calamities our friends would say will happen. I just do not think the world is so fragile that the United States, acting in its own rational self-interest that this treaty is not good, turns it down, that we are going to head for a nuclear holocaust. I think, indeed, it could cause us to go back once again to perhaps craft a treaty that is justifiable, that will work, that will allow us to modernize and innovate and at the same time promote security and peace in the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. BIDEN addressed the Chair.

Mr. WARNER. I think I have recognition.

Mr. BIDEN. Will the Senator withhold for a moment? We were going back and forth. I assured the Senator from New Jersey that he would be able to go next. He is not going to take all that long. Since you and I are going to be here, is it appropriate?

Mr. WARNER. Mr. President, we are going to be here. But as a matter of courtesy, I just wanted to thank my colleague for his very valuable contribution.

He is a member of our committee. He attended the hearings that we have had in the course of this week, and he referred, with great accuracy, to the testimony that was given to our committee.

But clearly, good, sound, public servants, nonpoliticians, having spent anywhere from a decade to three decades of their lives working in their respective fields—whether it was the technical field, with the laboratory directors, or the military field, they had honest differences of opinion. There was no consensus, no strong consensus except the case, the weight of the case against the treaty grew day, by day, by day from that testimony, culminating, as you know, in this article in the New York Times this morning, which addresses the very heart of this treaty in which these lab directors—I don't know whether they are Republicans or Democrats or what they are; they are not wrapped up in this process of the Senate; they are not arguing a unanimous consent—are simply telling their fellow scientists the world over, the citizens of this country, the scientists in charge of maintaining the safety and reliability of the Nation's nuclear arsenals, they might not be able to do their job without nuclear tests. That is actual firing of weapons that would be outlawed—outlawed, they used the word—under this treaty.

I thank the Senator. I want to come back to the laboratory, the testimony my colleague from Delaware and I were in colloquy about. We intermittently yield to other Senators. I yield at this time.

Mr. SESSIONS. Will the chairman yield? I would like to say how much I enjoyed serving with Senator WARNER, the chairman of the Armed Services Committee. He has had full hearings on this matter. I have seen his conviction grow as day, after day, testimony in hearings has indicated this is not a good treaty.

I know the Senator from Virginia would support it if he believed it was the right thing. I know he has developed a firm view that it is not the right thing. I certainly respect that. It certainly has impacted my view of it, and I agree with him.

My instincts are that this is not good for America, and when we say no, it is not going to hurt us in the world. People are going to respect us because we are acting in our legitimate, just interests. We are acting for peace and stability, as a great leader of the world ought to act, and we ought not to be pushed around by some polling data to pass some treaty that is going to undermine our strength as a nation. I thank the chairman for his leadership.

Mr. WARNER. I thank the Senator, and I yield the floor.

Mr. BIDEN. I yield to my friend from New Jersey—how much time would he like?

Mr. TORRICELLI. Seven minutes.

Mr. BIDEN. I yield 10 minutes to my friend from New Jersey.

The PRESIDING OFFICER (Mr. FRIST). The Senator from New Jersey is recognized for 10 minutes.

Mr. TORRICELLI. Mr. President, I first note my appreciation, and I suspect all Senators, for the manner in which Senator WARNER and Senator BIDEN have conducted a debate of profound national importance. It speaks well of the quality and tone of debate in the Senate.

There are always moments in our lives we suspect we will always remember, those times that punctuate our activities and our experiences. Several nights ago, on the eve of the Senate's consideration of this treaty, President Clinton, sitting in the residence, reminded some of us that the last time

the Senate rejected a treaty was in 1920, the Treaty of Versailles. The Treaty called for the establishment of a League of Nations. The United States, as reflected by the Senate, was so traumatized by the First World War, so anxious for the creation of a time that it would never visit again, that it drew all the wrong lessons from the First World War. As a consequence, it defeated the Treaty. A Treaty that was, in Woodrow Wilson's words, ''the last hope of mankind.''

We now find ourselves in this debate 80 years later. Yet having emerged from the cold war, the trauma and sacrifices of generations in dealing with that enormous national struggle, I fear that, once again, we are drawing all the wrong lessons. Essentially, it is the belief of many of my colleagues that the arms control regimes of the last 40 years were successful; that the bipartisan foreign policy from Eisenhower to Clinton, based on a concept of nonproliferation and arms control regimes, could provide real security for the United States; and, that seeking security in arms races and technological military dominance was illusory.

It is extraordinary that, during this debate, we demonstrate a lack of confidence in arms control regimes or believe the United States is better defended outside of these treaties because that is such a contradiction with national experience.

In the last 40 years, the United States, from Eisenhower to Nixon, Kennedy, Johnson, Carter, Bush, and Reagan have ratified START I and II, SALT I and II, the ABM Treaty, the Chemical Weapons Convention, Biological Weapons Convention, the Nonproliferation Treaty, the Limited Test Ban Treaty, the Conventional Forces in Europe Treaty, Partial Test Ban Treaty, the Open Skies Agreement, the Outer Space Agreement, and signed the Missile Technology Control Regime. The nation is profoundly more secure because of each and every one of those treaties and regimes.

Every Senate and each President at a moment in history faced the same judgment we face today. Are we better off by allowing other nations and ourselves to develop weapons outside of these regimes or should we have confidence in our ability to verify and be more secure within their limits?

It appears the Senate may, for the first time in a generation and for the second time in this century, believe that it is better to reject a treaty negotiated by an American President and operate outside of its regime. It is a profound decision with enormous consequences. The simple truth is, arms control regimes have enhanced the security of the United States; indeed, they have enhanced the security of all nations.

Since 1945, despite their development, possession, and deployment by a variety of nations, nuclear weapons have never been used in a hostile environment. It may be the first or certainly the longest period in human history that weapons were developed and not used. Indeed, nations have even gone to war with each other or been in severe conflict and not used these weapons. It is the ultimate testament that arms control works to protect national security.

I would understand if the leader of the Iranian Parliament or the North Korean Supreme People's Assembly were to rise in their respective chambers and argue passionately against this treaty. They would have their reasons. The treaty will allow the United States to maintain the preeminent nuclear stockpile in the world, having the only effective means of continuing to test its weapons by simulation, while the treaty would make it difficult for those nations to continue to develop and modernize their nuclear arsenal. Their opposition would be rational. Our opposition is irrational.

It would be understandable if members of the National People's Congress in Beijing would rise in indignation against China becoming a signatory to the treaty. The thought that China, a great power, possessing 18 missiles capable of delivering a weapon, now on the verge of developing important new and dangerous technology both to deliver these weapons and to miniaturize them to threaten a potential adversary in the United States or Russia or Europe, would join this treaty would be troubling to them.

The Chinese, by entering into this treaty, would be unable to test those weapons, making it difficult to know their effectiveness or their reliability. Their opposition would be understandable; it would be rational. Ours is not.

This treaty is an endorsement of the international military status quo, and at this snapshot in time in the life of this planet, the military status quo is that the United States is the preeminent military power with an abundance of weapons, sophistication of weapons, delivery of weapons. If this current arrangement and distribution of power is to be preserved for a generation, it means that every nation is accepting American preeminence. By their endorsement of this treaty and their signature of this treaty, extraordinarily, every other nation seems to be willing to accept that preeminence, ironically except us. We would reject the treaty and allow other nations at a relative disadvantage to test, develop, or deploy effective weapons.

There are several important consequences in the defeat of this treaty the Senate needs to consider: first, the damage, not necessarily militarily, but diplomatically to the leadership of the United States. This country has recognized for more than 50 years the only real security of this country is an alliance based principally on the foundation of NATO rested on the credibility of American political leadership.

The defeat of this treaty will put us at variance with the leaders of Germany, France, and Britain, who even on this day have appealed to the Senate to endorse this treaty. France and Britain have communicated their strong desire. They have reminded us that they have made changes in their own doctrine, and their own weapons choices, based on this treaty. They have also reminded us that if we defeat this treaty, we are in some measure separating not simply our judgments but our future planning and security from our traditional allies—the foundation of our international alliance system of our security. It will cause damage to our credibility and our leadership that will not be easily repaired.

Second, defeat of this treaty, for all practical purposes, is an end to our efforts, undertaken on a bipartisan basis for a generation, on nonproliferation. It is a practical end to our nonproliferation efforts because it sends a message to each rogue regime, every nation that possesses the capability to develop nuclear weapons, that there is this new sense of legitimacy in them doing so, because the United States has rejected a treaty that would have contained this threat. The United States will lose credibility with nations, like India and Pakistan, when we argue that they should not test again or deploy weapons.

Third—perhaps most profoundly and immediately—it will lead to the possibility of the testing and the development of the technologies that China has obtained from the United States, through espionage or other means, and allow them to develop a full capability.

There is a final factor. The Senate has convened to debate the question of a treaty on a comprehensive test ban. But it is not the only treaty that is at issue. The defeat of this Comprehensive Test Ban Treaty will certainly mean that the START agreement pending before the Russian Duma will never be adopted.

Our chance, with a stroke of a pen, to destroy thousands of Russian nuclear warheads, potentially aimed at the United States—the greatest single threat to the security of this Nation under changed political circumstances—will never be destroyed. We debate one treaty, but we are deciding the future of two.

Earlier in this day debates centered on procedures and hearings, whether or not the treaty was fully considered. I serve as a member of the Foreign Relations Committee. I, too, must express my profound disappointment, as a representative of the State of New Jersey, and as a member of that committee, of not being given the opportunity to fully debate, to consider, to hear witnesses on what potentially could be the

most important vote I will ever cast as a Senator.

People of good judgment might be able to differ on the merits of this treaty, but no one can defend that an issue of this profound importance to the life of this country did not receive the consideration it deserved or Senators within the comity of this institution were not given the due consideration to learn, debate, and be heard.

Because I believe, however, this issue is so important—while I am convinced of its merits and the need for immediate ratification—I end much as I began with that memory of 1920.

Most of us are probably convinced the Senate made the wrong judgment on the League of Nations, setting the world on a dangerous downward spiral of confrontation, having come to the false conclusion that America would be secure alone behind her oceans, that in isolation somehow we would find peace. It was wrong.

But in truth, if the moment could be revisited, President Wilson, while right on the issue, should have been less proud, more willing to meet his adversaries, and given them extra consideration on the treaty. While I profoundly believe President Clinton was right to endorse this treaty and to urge its adoption, I urge him to do the same today.

Let us make it unequivocally clear that the President of the United States, upon being told by the Director of the CIA that he cannot provide complete assurances that any unexplainable explosions of any source within Russia or China—by our national technical means—that it cannot be identified, it will cause the United States, unless explanations and inspections are made immediately available, to abrogate the treaty.

Second, the President make abundantly clear that any refusal to allow inspections, even if not absolutely required by the treaty, because it is in the national interest, would cause us to abrogate the treaty.

Third, the President commit the United States immediately to develop a national technical means to distinguish between different forms of explosions and small-level nuclear testing, and a program begin immediately.

And fourth, that if, indeed, as I believe is provided in the treaty, this President is informed by lab Directors that they can no longer assure the safety or the operational capability of our weapons, we will abrogate the treaty.

Let that be clear to the Senate and to the American people, let there be no question. And if there is no question on those issues, then there is no argument against this treaty.

I can remember as a boy asking a history teacher why it was, if history occurred as a continuum, from generation to generation through the centuries, history was written in chapters and in volumes, which both began and ended? And I remember she told me: Because that is how it occurs.

We are between the volumes of history. If this Senate is to decide that the bipartisan commitment to arms control as an element of national security for the last 40 years has been an error, we are ending not only a chapter but a volume of the military and diplomatic history of this country, we are entering into a very uncertain future, for our security is dictated only by what weapons are designed, deployed, and used—a lawless time that is not safer than the 20th century, but where the 21st century will be profoundly less safe.

It will be a time in which, I believe, Members of this Senate will have difficulty looking in the eyes of their children and their children's children explaining how there was a brief moment when we could commit all the nations of the world not to test these nuclear weapons and therefore as a practical matter to be unable, by many nations, to deploy them or ever to use them—and we lost the moment.

You may feel confident in your vote today; it may make political sense. You may be convinced of your own rhetoric, but you will never ever—if one of these weapons is ever used in a hostile environment; if one of these rogue regimes, from North Korea to Iran, ever tests one of these weapons—you will never look your own children in the eye with confidence in your judgment or feeling that you served them or your country. I have not been in this institution long, but long enough to know this treaty does not have enough votes to be ratified.

The President of the United States, recognizing the enormous potential diplomatic damage of its defeat and the consequences militarily of sending a message to other nations that there will be no further proliferation efforts or control on testing, has asked, as the Commander in Chief, the elected representative of the American people, that this vote not occur. What have we come to as a Senate, if the President of the United States makes such a request in the interest of our national security and our diplomatic position in the world and we turn a deaf ear? If you cannot do good by voting for this treaty, do not do harm by defeating it. Allow the moment to pass. At least allow the world to live with an ambiguous result rather than a definitive conclusion to our national commitment to arms control.

We vote on this treaty, but, indeed, we vote on whether to ratify or reject a national strategy of a generation and whether arms control will continue to be part of the security of the United States and our strategy of dealing with potentially hostile nations. It is not a judgment I would have had to mark the beginning of the 21st century. It shows a profound failure to learn the lessons of the 20th century, but it is what it is. At least we should be able to lose this moment and go on to debate and make judgments another day. I beseech of other Members of the Senate, do not hold this vote.

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN. Mr. President, I don't see my Republican colleague on the floor. If there is no Republican wishing to speak, with the permission of my friend from Arizona, I yield to Senator BYRD.

Mr. KYL. Mr. President, may I inquire about the time remaining on both sides. I think we are roughly equal at this point.

The PRESIDING OFFICER. The majority has 4 hours 11 minutes; the minority, 4 hours 20 minutes.

Mr. BIDEN. I yield 15 minutes to the Senator from West Virginia. If he needs more, I am happy to yield as well.

Mr. BYRD. I thank Senator BIDEN. He is certainly one of the most knowledgeable of all Senators on this particular subject. I appreciate the fact that he has sat in on the hearings that the Armed Services Committee has held in the past 2 to 3 days.

Mr. President, the debate on which we embark today is of far-reaching consequence. We are deliberating a major treaty, the Comprehensive Nuclear Test Ban Treaty. Unfortunately, we embark on this debate effectively shackled, gagged, and, to a considerable extent, blindfolded.

I have had the privilege of hearing three days of extremely detailed and complex testimony on this Treaty—three days! And I am one of a select few Senators, members of the Senate Armed Services Committee, together with Senator BIDEN, ranking member of the Foreign Relations Committee, who were exposed to that information. In a similar vein, the Senate Foreign Relations Committee conducted one full scale hearing on the Treaty this week. But the fact remains that many, if not most, of my colleagues have had little opportunity to hear from the experts testimony on the pros and cons of this Treaty.

To be sure, there are a number of Senators who are well versed in the details of the Comprehensive Test Ban Treaty, but they are few in number. Senator LEVIN is one of those. Senator WARNER is one of those Senators. The rest of us are flying virtually blind. I wonder how many Senators have taken the time to read the Treaty? I wonder how many Senators have consulted with foreign leaders, those who will have to join the United States in ratifying this Treaty if it is to go into force, to get their opinions of the Treaty?

Mr. President, when I was majority leader, I visited other capitals and took

Senators with me to talk with the leaders in foreign capitals about a treaty.

The Washington Post reported this morning that envoys from nearly 100 nations have implored the United States not to reject the CTBT. I wonder how many Senators fully understand the concerns of those nations? I wonder how many Senators fully understand our concerns?

Those who have read the text of the Treaty may be familiar with the broad brush strokes of the Treaty. But for even those Senators, the details—the implications of the Articles, the Annexes, and the Protocols to the Treaty—may be murky at best.

Mr. President, the hearings that the Chairman and Ranking Member of the Senate Armed Services Committee, Senator WARNER and Senator LEVIN, organized this week were extremely informative. So informative that I am overwhelmed by the amount of detail that I have heard.

I have often said that the Senator from Michigan, Mr. LEVIN, is a Senator who is exact. He scrupulously and agonizingly, it seems, peers through a microscope at every bit of minutia when it comes to details. That is the kind of study we need to give a treaty of this nature.

The President may sign a bill into law today. If, per chance, both Houses suddenly realized that that bill had to be repealed, we can do it. We could pass a repealer in one day in both Houses. We could do it, if the emergency existed. But not a treaty; it isn't that way with a treaty. We cannot approve the resolution of ratification today, send it to the President, the President cannot enter into the treaty formally tomorrow, and then on the second day or third day of next week, we adopt a new treaty or we take action to negate the treaty we have entered into. So a treaty is much different from a bill.

From Secretary William Cohen and General Shelton, Chairman of the Joint Chiefs, I heard that this treaty is in the national security interests of the United States. I respect their judgments. But from former Defense Secretary James Schlesinger, whom I also respect, and whose judgment I also respect, I heard that the treaty is flawed in terms of its duration—a permanent ban on nuclear weapons testing—and in its premise that only testing that can meet a so-called zero yield threshold is acceptable. I do respect Dr. Schlesinger's judgment. I heard confidence in the Stockpile Security Program expressed by Energy Secretary Bill Richardson, and I heard some caution expressed by the directors of the Energy Department's nuclear laboratories. Some caution there. Some caution. In short, I have heard some complex and conflicting testimony in a short period of time.

I must ask, why on earth is the United States Senate allowing a treaty of this magnitude and complexity to be rammed through the body with a maximum of 14 hours of debate, and with a limit of two leadership amendments? Have we totally lost all sense of responsibility? What would be wrong with having the vote next year after we have seen the new assessment, which we were told is on its way and will be completed somewhere around the first of the year, as I remember. What would be wrong? Or even, as some would prefer, what would be wrong with putting it off until the following year? Why do we have to do it now? Why do we have to do it next week? I am not one of those who have been saying we have to have a vote on the treaty. I don't cast any aspersions on anybody by that statement. But lest there be some here who think I am one of those who have been clamoring for a vote, I am not; and lest there be some who think that I have been prevailed upon by the administration to express opposition to our voting next week. I have not been contacted by the administration.

I am concerned about my country. I have heard various Senators say, well, if I am wrong, this will happen, or if he is wrong, that will happen; or which would you want to bet on, or some such. I am not interested in who is right or who is wrong, for the sake of this Senator or that Senator. I am interested from the standpoint of my country if we make the wrong decision. It is my country. And then, being one who is dedicated to this institution, having served in it for 41 years, I am also concerned that this institution is not doing its duty in connection with the approval of the ratification of a treaty. I said something to the effect that we are talking about the separation of powers here. And we are, because the constitutional framers did not feel it wise to leave in the hands of a chief executive alone the making and the carrying into effect of a treaty. And so the framers formulated this great system that we have of the separation of powers.

Hence, the approval of the ratification of treaties by the U.S. Senate is a facet of the separation of powers, in the great scheme of things. Now, are we, as Members of the Senate—we who have taken an oath to support and defend that Constitution of the United States—are we, who are the trusted legatees of those framers who met in Philadelphia in 1787, to put aside our portion, our responsibility in that system of separation of powers and say, oh, well, the President is right, the administration is right, give it to them, and wash our hands of it, let's not spend anymore time on it? I don't think it is my proper responsibility to say I am ready to vote on it just because an administration—whether it be my party or somebody else's party—says I should vote on it.

We Senators have a responsibility under our separation of powers to do our share of the work. The Senate is supposed to have that responsibility by virtue of the Constitution. I say that we are shirking our duty if we fail to uphold our end of the separation of powers doctrine, if we don't take the time to know what we are doing here. There have been questions raised.

Are we seriously going to cede, without a murmur, our duty to advise and consent to the ratification of treaties? Are we seriously going to allow this travesty of the separation of powers to occur? It would be nobody's fault but ours if we do. I am not saying reject the treaty nor am I saying we should approve it. I have to hold my hand up before my Creator and say I don't honestly know how I shall vote on this treaty. I will not be pressured by anybody. And politics has nothing to do with it, in my view; in this instance, certainly.

Mr. President, I bring before the Senate two issues that were raised by Dr. Schlesinger that I believe merit consideration. The first is the duration of the treaty. It imposes a permanent ban on the testing of nuclear weapons. Now, we are all for nonproliferation. That is not the argument here. We are all for nonproliferation, but there are other things involved here.

First is the duration of the treaty. It imposes a permanent ban on the testing of nuclear weapons. Frankly, I would be delighted to see a permanent ban on the testing of nuclear weapons—if we could be sure that the United States could maintain the reliability of its nuclear weapons stockpile without testing. But what I have heard this week from some people is that the Stockpile Stewardship Program is not far enough along in development to be absolutely certain, or even almost certain, that it will be an effective substitute for testing.

Our weapons are aging, and the nuclear scientists who developed and tested those weapons are aging also. For every year that the weapon ages, the scientist who tested that weapon ages a year. We can replace components of the weapons, but as Dr. Schlesinger and Dr. Paul Robinson, Director of Sandia National Laboratories, pointed out in their testimony, it is not so easy to replace the knowledge, the skill, and the judgment of the scientists who built those weapons. Can we really replace seasoned physicists with computer scientists? That is a question that I have, and an answer that I do not yet have.

Dr. Schlesinger also questions the advisability of the zero-yield threshold for nuclear weapons testing. Now, I am fairly certain that most American families will not be discussing over the dinner table this evening the relative merits of zero-yield versus low-yield testing. I doubt that many of my colleagues in the Senate will be discussing such matters over this Columbus Day

holiday. But it is a vital issue in the deliberation of this treaty. I don't know enough about it, and I have read, I have listened, and I have researched, to a limited degree, the issue. I still have questions. I have doubts. It may be that my doubts are unfounded. It may be that my questions can be satisfactorily answered. But not in the time constraints and under the procedural constraints with which we are faced.

Mr. President, the Senate has a solemn duty to offer its advice and consent in the matter of treaties.

We are not only not offering our advice, but we may be offering the wrong consent if we vote next week. We may be going the wrong way. We may be ill advised in the consent that we give.

Not just consent, as I say, but advice as well. Advice comes in the form of understandings, reservations, amendments, conditions, and the like. But not on this treaty under these circumstances. On this treaty under these circumstances, amendments, understandings, reservations, motions, or any other binding expression of opinion are out of bounds. They are off limits, save for one amendment each to be offered by the two leaders of the Senate. On a treaty binding the United States of America to a permanent ban on the testing of the very weapons that form the core of our national security; on a treaty of such incredible importance, the Senate is proceeding to a vote under a self-imposed—a self-imposed—gag order.

Has this body lost all sense of proportion? Has the Senate become so absolutely blind to its constitutional duties and so dedicated to its partisan political objectives that it is willing to abdicate to the executive branch the Senate's responsibility to give both its advice and consent on the ratification of treaties? Is the Senate truly willing to limit its role in the consideration of treaties to that of either rubber-stamping whatever the executive branch chooses to send us, or, alternatively, jettisoning it out of hand? That is no way to deliberate on a treaty, particularly one such as the Comprehensive Test Ban Treaty, which holds such promise, and likewise, perhaps, such peril for the future of America's national security.

I respect the passion with which many of my colleagues view this treaty. They can state with absolute certitude that it is in the best interests of this country to approve the ratification of this treaty. And I respect that view. If I thought like they do, I would also express with absolute certitude that I was confident in the treaty. But they have spent more time—far more time—than I have spent on it. And I admire them for that and compliment them for it. Conversely, others with equal certitude say that the treaty should be rejected.

I compliment Senator LEVIN, I compliment Senator WARNER, and others on the leadership they have demonstrated. I compliment my great friend from New York, the Senior Senator from New York, before whom I bow with great reverence. But think of the experience the Senator from New York has had in the field of foreign affairs. I don't know what his position on the treaty is. But I daresay that he, too, would say we need more time.

What is the driving force that says we absolutely cannot wait for a few more months, or even another year? I am not bound on having a vote next year. But this treaty is permanent. This is for keeps.

I respect the strongly held views of others. I wish I could share their certainty either in the merits or dangers of this treaty. If we wait 6 months, I might still be uncertain. But I would have had my chance. I would have had my day in court. The Senate would have fulfilled its duty under the Constitution. To me that is important.

I have spent 41 years of my 82 years right here in this Senate, and I have respected its rulings, its precedents, its rules, its history, and its customs. And I have to say to Senators that I often bow my head in sorrow at the way this Senate has changed since I came here.

I cannot imagine that Senator Russell, Senator Dirksen, Senator Fulbright, Senator McClellan—I cannot imagine that those Senators would have been happy, would have been satisfied. They would have been restless. They would have been very uncomfortable with saying that we have to go through with this unanimous consent request which was sent around on the telephone to all Senators' offices—on a Friday—I believe it was Friday. All Senators are busy. It is all right with an ordinary bill, an ordinary matter, that comes before the Senate. But when it comes to a major treaty, everybody recognizes a major treaty.

That is not a simple treaty with one or two other nations—which can be very important, however. But this is a major treaty, a far-reaching treaty. It involves the security interests of our country. It involves our children, and our grandchildren.

Why shouldn't we take a little more time to be sure that Senators know that this is what we are about to do? We are about to take from every Senator his normal right to offer a reservation or an understanding or an amendment on a major treaty. But, as Shakespeare says, ''What's done 'tis done.'' Yet can we not rectify this horrible mistake and give this Senate a few more months so that we can have some hearings, so that we can have more experts, so that we can take time to read the treaty and to understand it and to talk with foreign leaders? I cannot understand why we have thrown away our rights so cavalierly.

Mr. President, I come not to bury Caesar nor do I come here to call Lazarus from the tomb. I do not come here today to make a case for or against this treaty. I am here only to plead that we have more time so we can study it and be better prepared to render a proper and right judgment. That is why I am here on this floor today.

I joined with other Senators in a letter some time ago urging the chairman of the Foreign Relations Committee to hold hearings. That is the extent of the efforts that I have put forth in either direction.

I want to state for the RECORD, I am only here to urge that this Constitution requires this Senate to advise and consent to treaties that have been made by the President of the United States. That is all I am urging—and that we be given sufficient additional the time. We are moving toward what appears to be a sure rejection of the treaty next week for all the wrong reasons.

It may be that this treaty is not in the best interests of the United States. It may be that it is in the best interests of the United States. Only one thing is sure: It is not in the best interests of the United States or the Senate to be driven by little more than political gamesmanship—and all sides, I suppose, to some extent, have been tarnished by that.

This is not necessarily leveling an arrow from my bow toward any particular side—political gamesmanship, I say, to an all-or-nothing vote on the treaty next week with 3 days' worth of hearings, less than 2 full days' worth of debate, and virtually no opportunity to improve or to modify the Resolution of Ratification.

I close by urging the Senate to put off what promises to be a fatal vote on the Comprehensive Test Ban Treaty, and proceed, instead, with educating the Senate and the American people, so we can deliberate and decide the fate of this treaty and, who knows, this country and perhaps the world, with a better understanding of the consequences of our action.

I thank all Senators for their indulgence.

Mr. WARNER. Mr. President, could I ask my dear colleague and friend a question in the friendliest of veins?

Mr. BYRD. Yes.

Mr. WARNER. We serve together on the Armed Services Committee. The Senator from West Virginia came to every hearing and listened. And he asked the question that elicited a critical answer which indicated that the intelligence community needed time within which to complete this analysis regarding the ability of our country tomorrow or in the future to monitor another nation's testing if that testing constituted cheating under the treaty. The Senator was there yesterday throughout the laboratory hearing, and he had the courage to stand on this

floor and say that he listened to those Directors, and, indeed, those raised the legitimate concerns.

Mr. BYRD. They did in my mind.

Mr. WARNER. They did in my mind also. The Senator from West Virginia knows in private conversations I have had with him and other colleagues that this Senator on this side of the aisle is doing what I can, although I will vote against that treaty today, and tomorrow, and the next day, as it is currently written. I recognize its importance.

I stayed here until 9:30 last night working with others to see what we can do to adopt a framework. I just left the Press Gallery. They asked me, Senator, what are the components? I said the essential component is for the President to share equally the responsibility of the very serious decision that our two leaders, Democrat and Republican, are faced with about vitiating this time agreement. The Senator from West Virginia recognizes that as a former majority leader himself.

I have just been handed this document.

Mr. BIDEN. Will the Senator yield? Is he speaking on his own time?

Mr. WARNER. Absolutely. Do not worry about small matters. Worry about what I am about to tell my dear friend.

We are all making the best of efforts. I am listening to Senator BYRD, in a very clear and precise way, an even-handed way, state his case. Then I am handed the President's speech in Ottawa.

A Reuters report states:

> It is clear now that the level of opposition to the treaty and the time it would take to craft the necessary safeguard to get the necessary votes are simply not there. So I hope the Senate will reach an agreement to delay that vote.

That expresses our common purpose.

All I have called upon the President to do is to share the burden the leaders would bear should this decision go forward.

I turn the page. Again, quoting:

> Establish an orderly process, a nonpolitical orderly process to systematically deal with all the issues that are out there and take whatever time is necessary to do it.

As I told the press a few minutes ago, the President, each day, is taking a step in realization of what has to be done. His National Security Adviser is quoted this morning saying the President asked the vote be delayed. The day before, the Secretary of State said for another day this treaty should be decided by the Senate.

I say to my good friend, Senator BYRD, the last quote of the President: ''The whole thing is about politics.''

Is everything you are saying today about politics?

Mr. BIDEN. Will the Senator read the whole letter?

Mr. WARNER. I am reading a press report.

Mr. BIDEN. If the Senator will yield, the remainder of that comment was:

> . . . and to systematically deal with all the issues that are out there and to take whatever time is necessary to do it. With this treaty other nations will find it hard to acquire and to modernize nuclear weapons and we will gain the means to detect and deter. If we don't have the treaty for the United States, we will continue to refrain from testing and giving a green light to every other country in the world to develop and modernize nuclear weapons. I think it is clear what we ought to do but it is also clear we ought not rush to this vote until there has been an appropriate process in the Senate.

Mr. WARNER. Put it in context; is the Senator reading from the Ottawa speech?

Mr. BIDEN. I am reading from the President's statement on CTBT, October 8, 1999, in Ottawa as reported, a copy of which was made and given to me.

Mr. WARNER. I add to it this phrase in which he concluded: ''The whole thing is about politics.''

I have been here since 9 o'clock this morning, and the Senator has been here the same period; we are working throughout the day. We will be the last Senators to leave this floor tonight and return on Tuesday.

This is not about politics. This is about trying to help our colleagues reach a correct decision on the security interests of this country, I say to Senator BYRD.

Mr. BIDEN. Will the Senator yield?

Mr. WARNER. Yes.

Mr. BIDEN. He was at the same dinner as I was with the President of the United States when two present colleagues said: ''Mr. President, I'm sad to say the political process has taken this over. This is about politics.''

The truth of the matter is, politics is implicated in this. No one is suggesting the politics is good or bad on either side, that one side is better than the other. But two of our Republican colleagues at that dinner—the Senator heard them—said the same thing the President said.

We are acknowledging reality. We can all pretend here, with all the niceties, that politics has no part in this. Let's be real simple: The honest-to-God truth is, this is similar to the guy who says the emperor has no clothes on who usually gets shot after he acknowledges that.

Mr. BYRD. That was a child.

Mr. BIDEN. I am no child, but I may get shot politically for saying this.

Mr. WARNER. I say to my colleague from Delaware, I will not comment on the comments made at the dinner. I was there, but I think what was said there was confidential. I have always, as a policy when dealing with Presidents, not commented.

I am not criticizing the Senator.

I ask unanimous consent to have printed remarks by President Clinton from October 8, 1999.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

> So they want me to give them a letter to cover the political decision they have made that does severe damage to the interest of the United States and the interest of nonproliferation in the world? I don't think so. That's not what this is about. They have to take responsibility for whether they want to reverse 50 years of American leadership in nonproliferation that the Republicans have been just as involved in as the Democrats, to their everlasting credit.
>
> Now, they have to make that decision. I cannot bring this treaty up again unless they want to. I have asked them to put it off because we don't have the votes. I have talked to enough Republicans to know that some of them have honest, genuine reservations about this treaty, and they ought to have the opportunity to have them resolved, instead of being told that they owe it to their party to vote against the treaty and that the leadership of their party will do everything they can to keep us from writing safeguards into the treaty which answer their reservations, which is what we do on every other thing.
>
> So I don't want to get into making this political. But they shouldn't tie the Senate up or themselves up in knots thinking that some letter from me will somehow obscure from the American people next year the reality that they have run the risk of putting America on the wrong side of the proliferation issue for the first time in 50 years. And they want to do it and then they don't want to get up and defend it before the American people in an election year. That's what this whole thing is about. That is the wrong thing to do.
>
> We don't have the votes. I'm not going to try to bring it up without the votes. Let them take it down, but also agree on a legitimate process to take this out of politics. I will not criticize them as long as they are genuinely working through the issues, the way we did in the Chemical Weapons Treaty.

Mr. KYL. Mr. President, I ask unanimous consent a letter dated October 6 to the majority and minority leaders signed by two former Secretaries of Energy, John Herrington and James Watkins, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 6, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate, Washington, DC.

Hon. TOM DASCHLE,
Democratic Leader, U.S. Senate, Washington, DC.

DEAR SENATORS LOTT and DASCHLE: We are writing to urge the Senate to reject the Comprehensive Test Ban Treaty (CTBT). We were each formerly responsible for managing the United States' nuclear weapons programs in our role as Secretary of Energy. We believe that unless and until the United States can ensure and prove the safety and reliability of its nuclear stockpile without testing, it should refrain from ratifying the current ''zero-yield'' CTBT, which is intended to be of unlimited duration.

Over the course of our history with nuclear weapons, testing has been essential for maintaining the performance of the stockpile, as well as the key to designing and certifying new weapons. As President Bush noted in a report to Congress in January 1993, ''Of all

U.S. nuclear weapons designs fielded since 1958, approximately one-third have required nuclear testing to resolve problems arising after deployment.''

A modern nuclear weapon has about the same number of parts as an automobile, but it is much more complex. Some materials in our weapons, such as plutonium, are radioactive. Over time, these materials radioactively decay, altering both their own properties and contributing to changes age makes in the properties of other materials in the weapon. Even today, major gaps exist in our scientific understanding of nuclear explosives and how these weapons change as they age. These gaps in our knowledge increase the risk of undetected problems that could make our weapons unsafe or unreliable.

In 1992, the United States adopted a self-imposed moratorium on nuclear testing. The following year, the Administration and Congress initiated the Stockpile Stewardship Program. According to the FY 2000 Stockpile Stewardship Plan Executive Overview released by the Department of Energy (DOE) in March 1999, ''The overall goal of the Stockpile Stewardship program is to have in place by 2010 . . . the capabilities that are necessary to provide continuing high confidence in the annual certification of the stockpile without the necessity for nuclear testing.'' This report also states that the success of the program is ''dependent on a highly integrated and interdependent program of experimentation, simulation, and modeling.''

We support the Stockpile Stewardship Program and the important research and development work that is being conducted at American weapons laboratories. But no one can state with a high degree of certainty that this program of experiments and computer simulations will be able to provide the same level of confidence in the safety and reliability of our nuclear weapons as we have historically achieved through testing. Therefore, the United States must retain the option of testing; not only to be able to verify the safety and reliability of our nuclear deterrent, but also to validate the Stockpile Stewardship Program itself. In 1987, the Congress required the Energy Department to craft a program that would ''. . . prepare the stockpile to be less susceptible to unreliability during long periods of substantially limited testing.'' DOE was also required to ''. . . describe ways in which existing and/or new types of calculations, non-nuclear testing, and permissible but infrequent low yield nuclear testing might be used to move toward these objectives.'' DOE responded to this requirement by designing a test-ban readiness program which anticipated a 10 year, 10 nuclear test per year program, which included comparing the results from new calculational tools and non-nuclear testing facilities to the results of nuclear tests. This program was never pursued because, throughout the Reagan and Bush Administrations, further limitations on nuclear testing were not viewed as necessary or desirable.

The Stockpile Stewardship Program is already falling short of its goal. For example, the National Ignition Facility, the flagship of the stewardship program, faces a key technical uncertainty: will it be able to reach thermonuclear ignition, a major goal for which it was designed? Furthermore, this important facility has recently fallen behind schedule and over budget. And, there may be new security risks because classified information under the Stockpile Stewardship Program will be concentrated in consumer systems, and much of the new computer code required for the program will be written by hundreds of people at participating colleges and universities.

Besides replacing testing, the Stockpile Stewardship Program is aimed at ensuring effective production capability. Even with the end of the Cold War, many production tasks remain essential for weapons maintenance. These include disassembly for inspection or repair, and the fabrication of components to replace those that have decayed or corroded. Some remanufactured components may be significantly different from the original parts due to the use of new manufacturing processes and materials. We risk introducing new defects into the stockpile if we are not permitted to conduct nuclear tests, when analysis clearly so demands, in order to verify that these remanufactured components do not affect the safety or reliability of the original design.

Responsible stewardship of the nuclear weapons stockpile has provided the foundation for U.S. deterrent strategy for the past half-century and, despite dramatic transformations in the geopolitical and international security environment, the stockpile will continue to make a critical contribution to U.S. security for the foreseeable future. Although we ascribe to the existing moratorium, the jury is still out as to whether nuclear testing should be eliminated by treaty. We consider it premature to make such a move at this time.

As a result, we are of the unqualified opinion that the United States should not ratify the Comprehensive Test Ban Treaty.

Sincerely,

JOHN S. HERRINGTON.
JAMES D. WATKINS.

Mr. KYL. In this letter, the two former Secretaries of Energy urge the Senate to reject the Comprehensive Test Ban Treaty.

I also note, part of my submission for the RECORD earlier was letters from various former public officials who urged rejection of the treaty. Behind me is a chart detailing who some of these people are. I thought it important, since I didn't read the entire list to Senator BIDEN earlier, to acknowledge who some of these people are.

These are people who believe it would be a bad idea for this treaty to be ratified and who speak from experience based upon their positions in the U.S. Government. I mentioned earlier the six former Secretaries of Defense. Secretary Schlesinger testified, and his testimony was just cited by Senator BYRD as important testimony in opposition to the treaty. People such as Dick Cheney and others are in that list of six. Secretary Weinberger testified, as well.

In addition to that, four former National Security Advisers; in addition to that, four former Directors of the Central Intelligence Agency. In addition to that, four former Directors of the National Laboratories—this is important because once an individual is no longer in the position of the lab Director, accountable to the Congress, to the Secretary of Energy, and to the President, that person is free to speak his mind—have been very clear about the reasons the National Laboratory Stockpile Stewardship Program cannot be an adequate substitute for testing, in addition to the former Secretaries of Energy I mentioned, former Chairmen of the Joint Chiefs of Staff, and the former Commanders of the U.S. Strategic Command.

Let me also make a point I think the majority leader tried to make a few minutes ago but several people have reiterated a contrary view; that is, we have not had enough time to learn about this treaty. The message from the President of the United States transmitting this treaty was dated September 23, 1997, but the treaty was open for signature and signed by the United States a year before that, September 24, 1996. So the President waited over a year to send this treaty to the Senate for its action. Not long after that, however, the President began urging us to take it up, in two State of the Union Messages and in a variety of comments thereafter.

I took the President at his word, and I began studying the treaty, and I began talking to experts. I daresay there are not very many people in this body who know more about the treaty, as Senators, than I do. I know people such as Senator BIDEN and Senator LEVIN have done the same thing. They went to school and they became experts on this treaty. I recognize them as having an enormous quantity of information about it. I did, too, for a couple of years. All Senators had that opportunity. If they listened to the President, he was asking them to understand it and to bring it up.

There have been a variety of hearings, not just in the Foreign Relations Committee but in other committees as well. I have committee reports here. Let's see; this is from the Committee on Governmental Affairs. I have three different reports here, I believe: March 18, 1998; October 27, 1997; February 12, 1997; the Armed Services Committee hearings that have been specifically held, and so on. Of course, our knowledge does not need to exclusively come from hearings; we do have the ability to read and to talk to experts.

The point is, we have had ample opportunity to learn about this treaty. The problem is, there are many in this body who for months demanded a vote, but what they really want is to only have a vote when they think they can win. They do not want a vote when they are going to lose. That is why you had this cacophony of voices calling for a vote and all of a sudden, when the majority leader accommodated them and they realized they did not have the votes to win, they began saying: Oh, we need more time. We need to put this off. We need to study it more.

There was ample opportunity to study it. I spent a lot of time studying this treaty. I suppose I could have been doing something else, but I spent the

time studying it. And every one of my colleagues could have done the same.

Finally, there is this notion, the President says: This is the longest-sought, hardest-fought prize in arms control history. Every President has sought this. That is simply not true. Let's go through the record.

President Eisenhower, who imposed a testing moratorium for 3 years, supported the idea of a test ban treaty. But his test ban treaty would have been of limited duration, 4 to 5 years, and would have allowed for low-yield testing. As Senator BYRD noted a moment ago, two of the most salient points of former Secretary Schlesinger's testimony were to impress upon us the fact that this is a treaty in perpetuity that the President is asking us to sign. President Clinton's test ban treaty is for a zero yield, and everyone acknowledges you cannot verify a zero-yield treaty. That was not the treaty President Eisenhower wanted, so let's not say this all started with President Eisenhower and this is a treaty he wanted.

During the Kennedy administration, the Limited Test Ban Treaty which banned nuclear testing in the atmosphere, space, or underwater, was negotiated. But there was no serious effort to negotiate a Comprehensive Test Ban Treaty as of the kind President Clinton submitted. Incidentally, the Johnson administration took the same position as the Kennedy administration.

President Nixon's administration negotiated the Threshold Test Ban Treaty but also did not make any attempt to negotiate a Comprehensive Test Ban Treaty of the kind President Clinton has submitted.

There was no activity on the subject during the Ford administration.

During the Carter administration—and Secretary Schlesinger has presented some very interesting comments on this—the Peaceful Nuclear Explosion Treaty was signed and consideration was given to a Comprehensive Test Ban Treaty, though the United States at that time was seeking a 10-year treaty where yields of up to 2 kilotons would have been permissible.

Neither President Reagan nor President Bush pursued a Comprehensive Test Ban Treaty. In fact, responding to the Hatfield-Exon-Mitchell prohibition on testing in the 1993 Energy and Water Appropriations Act, here is what President Bush said to the Congress:

> The administration has concluded that it is not possible to develop a test program within the constraints of Public Law 102–377 that would be fiscally, militarily and technically responsible. The requirement to maintain and improve the safety of our nuclear stockpile, and to evaluate and maintain the reliability of U.S. forces, necessitates continued nuclear testing for those purposes, albeit at a modest level, for the foreseeable future. The administration strongly urges the Congress to modify this legislation urgently in order to permit the minimum number and kind of underground nuclear tests that the United States requires, regardless of the action of other states, to retain safe, reliable, although dramatically reduced deterrent forces.

So much for the proposition that all of the Presidents from Eisenhower through Bush support the notion of the Clinton forever zero yield Comprehensive Test Ban Treaty. It is simply not true.

There is another important point that President Kennedy made. President Kennedy was asked to comment on his experience with the 1958–1961 test moratorium. The reason this is important is, of course, we are looking at an 8-year moratorium on testing already here in the United States. This treaty would impose upon us a moratorium in perpetuity, with only one possible way out, and that is, it would be at least theoretically possible for the United States, if it believed, in its supreme national interest, it was required to do so—for the President to, in effect, step out of the treaty for the purpose of conducting one or more tests.

Here is what President Kennedy had to say about the difficulty of doing that. He said:

> Some may urge us to try a moratorium again, keeping our preparations to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep top-flight scientists concentrating on the preparation of an experiment which may or may not take place or on an uncertain date in the future, nor can large technical laboratories be kept fully alert on a standby basis, waiting for some other nation to break an agreement. This is not merely difficult or inconvenient; we have explored this alternative thoroughly and found it impossible of execution.

That is what scientists tell me would be the result of a Comprehensive Test Ban Treaty. We already know it would take at least 2 years to regenerate the support for a nuclear test at the Nevada Test Site. There is already significant testimony on the record that it would be exceedingly difficult to get the scientific expertise concentrated for the development of such a test. There is also significant comment on the fact that, obviously, this would send a very dangerous signal to our potential adversaries because there is only one reason to conduct such a test. Under the terms of the safeguard President Clinton has offered up here, it would be in the event of concern about the safety or reliability of our stockpile. So the whole world would know, if the United States began preparations to conduct a test, we had a problem. That would be a problem.

One of my friends at one of the National Laboratories has in fact said, regardless of our need to do so—although we can always gain significant scientific knowledge from a test—we ought to remain capable of conducting a test and have at least one a year, just so we avoid the problem of nations believing we have problems with our stockpile. That way, we would not only have the benefit of a test but we would never signal to anyone in the outside world we were testing because we had a problem.

There is another reason to have a test. When the United States began thinking about this moratorium, there was a request of the laboratories to design a way to substitute for testing, and the Stockpile Stewardship Program came from that request. But as part of that, the Directors of the laboratories recommended that a series of 10 tests a year for 10 years be conducted to validate the Stockpile Stewardship Program. Those tests have never been held.

One of the reasons there is great discomfort with the notion that the Stockpile Stewardship Program could actually be a substitute for testing is that it has never been validated. I note that some of our allies, countries Senator BIDEN referred to earlier such as France, that conducted tests within the last 3 years, as well as some that perhaps would not be categorized as allies, such as China, that also conducted tests within the last 3 years, as well as other countries, could well have concluded—and part of this would have to get into classified information—could well have concluded that it was in their national interests to conduct tests in order to validate scientific experiments, in order to prepare for a long period of time in which they could not test, in order to develop warheads of the kind the Russians have developed, which are very robust and which can be reproduced every several years without the necessity of testing, something which the United States never did.

Our moratorium was imposed, in effect, in the middle of our nuclear development program. Our weapons have all been designed to be replaced with new designs on the assumption that there would always be testing.

We never did this testing to get us to the point where we could prepare for a moratorium, let alone an absolute ban on any testing in perpetuity. That is why the argument is absolutely false some make that we need to freeze in our advantage before others acquire the weapon; exactly the opposite is the case.

Some countries have developed what they believe will hold them for a long period of time in the future based on testing, while the United States rather abruptly stopped its program with President Bush and others suggesting we should go forward with testing for a variety of reasons, but we did not do so.

We are now caught in the position where we have aging stockpiles with several of our warheads exceeding their shelf life, with all the problems attendant with that, and a moratorium in

which we have not tested for 8 years and a prospect we would have a treaty to bind us, never to test again, never having validated the substitute program.

This is a reason why I think those who heard testimony from lab Directors, from people such as Johnny Foster and Robert Barker and other experts who have been involved in this area for years, have been rather shocked at what they have heard and why many of them have suggested they think they need to hear more about this.

There is, indeed, a great body of scientific evidence that suggests it could be a very bad thing for the United States to adopt this zero-yield test in perpetuity, and no amount of more time is going to change that result. That is why, again, there is no reason to extend the time of this treaty in order to refute these scientific facts. These scientists are not going to change their views. The science does not change. Plutonium and uranium radioactively decay. That is a scientific principle, so there is some constant here and nothing, including the passage of time, is going to change that.

Mr. President, I ask Senator WARNER if he wants to make a comment.

Mr. WARNER. Mr. President, the Senator can go right ahead and take all the time he wants.

Mr. KYL. I certainly do not want to do that.

There is one thing Senator BIDEN said with which I must take a little bit of issue. He noted we have some 6,000 warheads in our inventory, that this was a lot of warheads and certainly they would not all atrophy; in any event, we would always have enough, even if they were not all good.

I think it important to understand what our stockpile consists of right now, again, without getting into classified material. There are nine types of nuclear weapons in our arsenal. We used to have many more than that. We used to have redundant systems. Now, however, we have nine types, each of which are different. They have a different mission, and they are delivered on different delivery vehicles or by means of different platforms.

The total number of warheads can be divided, in effect, by nine. If any one or two or three of those classes of warheads have defects in them, it is a matter that affects all of the warheads of that category. It is not as if you have one car that is a lemon. Instead, it is as if you have a car that has to be recalled because every one of that make and model has the same problem. That is the way we have found our weapon defects to have existed in the past.

Let's say one-third of the weapon types have some defect. Roughly, that means about one-third of the weapons. What that means is that about one-third of the ability of the United States to respond with respect to certain targets would be inhibited, but more than that, there may be many targets that are unique to that particular kind of warhead against which we have no capability. It is not as if these warheads are fungible and we can throw any of them at any target with any delivery system. Each one has a specific purpose, and it is delivered on a specific platform. That is why we should not be so cavalier about concluding that since we have a lot of warheads we, in effect, can roll the dice.

I have a final point, since Senator WARNER is about ready, on a comment made by my friend, Senator SPECTER, who talked about the chain reaction if India and Pakistan should begin to detonate these devices and how can we ask them to sign on to this treaty if we are not willing to set the norm, set the standard of signing.

I remind my colleagues, for 8 years we have been setting the norm. We have had a moratorium; we are not testing. Did that stop India? Did it stop Pakistan? Has it stopped any other number of countries that believe in their national interest they want to acquire these weapons? No. Are many of these countries signatories to the NPT? Yes. They have already forsworn these weapons. We would be asking them to also forswear the testing of weapons that we now know they already have.

I believe we ought to do what is in the best interest of the United States for our own security and not get into this business of questioning what other people in the world will think of us if we do not go along with what they think is a great idea. Internationally, there are a lot of great ideas in the United Nations among countries, some of whom are not friendly and some are, but the United States has tried to be a leader in the world. I suggest we lead best if we go back to the drawing board and try to do this right, perhaps along the lines of some previous Presidents, rather than the unique way President Clinton proposes to do it with the zero-yield testing in perpetuity.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I commend my colleague. He has been steadfast throughout this period of the week when we had hearings and attended some of the hearings himself. Throughout the day, he has been very skillful and evenhanded in the way he has helped me and others, the leadership, Senator HELMS, who is going to join us momentarily in handling this floor situation. I thank my colleague.

Mr. WARNER. Our distinguished chairman of the Foreign Relations Committee has joined us. He has been in contact with me frequently through this day.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. While the chairman of the Foreign Relations Committee is assuming his seat, I wish to say to my colleagues, I know of no one else on this side who wishes to speak today. I am anxious to hear what my friend from North Carolina has to say. I will sit here and listen to all of it. And I sincerely am anxious to hear it. But I want my colleagues to know for scheduling purposes, I indicated to Senator KYL I am going to respond specifically to some of the points he raised because—again, I am not being solicitous—I think he is one of the best lawyers in this place. He knows this area very well. I think each of his points warrants a very specific response. But I will attempt to do that on Tuesday when we are back in. So I want to put people on notice, I am prepared to debate the issue if people wish to, but as far as I am concerned, we do not intend on using any more time today, unless for some reason my colleagues conclude I should.

I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Alabama.

PRIVILEGE OF THE FLOOR

Mr. SESSIONS. Mr. President, I ask unanimous consent that Steve Shope be granted floor privileges in the proceedings today.

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

Mr. SESSIONS. I want to share a few additional thoughts.

Earlier today I discussed my belief that if the United States is going to be a leader for peace, it needs to be a leader militarily in the world. It has fallen uniquely to be our responsibility, our burden, our role to do that. I think if we fail to do that, history will record that we abdicated a responsibility. That is critically important.

Presiding in the chair is the chairman of the Armed Services Committee. We have had a number of days of hearings—some top-secret, code-word briefings and hearings. Some have been public.

I want to share a few things, as I interpret what occurred in those hearings. It is consistent with the headline as has been cited earlier in the New York Times: ''Experts Say Test Ban Could Impair Nuclear Arms Safety.'' That is the way it was interpreted by a New York Times reporter. That is the way I believe it is fair to be concluded.

The lab Directors were pressed aggressively by Senator LEVIN, one of the finer questioners that I have ever observed in this body. He asked them firmly and consistently: Were they on board? They maneuvered around a bit, but they eventually did say they were on board. But Senator ROBERT BYRD astutely noted they were ''uneasy'' with those answers. In fact, they indicated

they were on board only after a good deal of insistence and debate about signing on to the CTBT concept. They indicated that they would sign on and be on board, if the six safeguards could be included. These are employees of the executive branch of the United States Government. They work for the President. They know the Secretary of Energy was testifying there at the same time.

The chairman of the committee noted that their testimony was inconsistent with the testimony of the Secretary of Energy at the same hearing on the same day. The Secretary of Energy is a fine person, but he is not a nuclear engineer. He has not been given the responsibility to monitor the safety and security of our weapons. He says they are OK. The President says they are OK. But the experts didn't quite say that. In fact, they said it could impair nuclear arms safety. I think that is important. We do not have one voice about this matter.

They talked about the Stockpile Stewardship Program, and they were not nearly so confident in that program as some would suggest. In fact, it almost seemed, I suggest, that they were saying that the President, in 1993, just unilaterally said: We are not going to test, so they are not doing that. This apparently gave them some belief that they could have some other kind of testing, so that is better than nothing. I may be misinterpreting those comments, but I don't think so. I think they basically said stockpile stewardship was not a guaranteed thing, but that they would do their best with it, as patriotic Americans. They said they could not be sure the Stockpile Stewardship Program would work, and they admitted there would be no way to validate the Stockpile Stewardship Program other than through live-fire tests—tests of explosions, nuclear explosions.

I ask, is this, indeed, in the best interest of the United States to tie our invaluable deterrent responsibility to an undeveloped, untested, and unvalidated simulation regime?

The preamble to the treaty states that cessation of testing is an effective measure of nuclear disarmament. Dr. Robinson, Director of the Sandia Lab, testified that nonnuclear components in today's weapons will ultimately become obsolete and irreproducible—they cannot be reproduced. That is, without testing, our nuclear capability will vanish. If it does, it is a distinct possibility that other states will find the world's situation having changed significantly, and they may decide to determine to expand their own capability. It will, in fact, be, and these words irritate a number of people, but it has a ring of truth to it. It will be a form of unilateral disarmament, we, being the world leader, signing a piece of paper that ultimately leads us to a point where we cannot continue to be the world leader.

We know a test ban can't prevent nations from acquiring nuclear weapons. Tests by India and Pakistan showed that. The Sandia Lab Director further testified that, ''[t]hose who claim that by ending nuclear testing, we will close off the threat of terrorist development and use of nuclear explosives mislead themselves.'' And Congress should not accept such arguments as a basis for endorsing a test ban treaty.

I hope, Mr. President, we can develop a way to continue to reduce the presence of nuclear weapons. This Congress, this Senate has supported massive reductions in the number of weapons we possess. We have continued to explore other treaties and agreements.

I like limited, bilateral agreements with nations such as Russia or China or England or France, where we know what we are doing and it has an end time. We have an agreement. We have a precise understanding of the benefits and risks involved. These broad treaties, to which we are committing with the whole world of nations, many of whom are not going to comply with them, make me nervous. It is not necessarily good for a great nation to do that. A great nation has to be cautious. A great nation can't blithely go out and start signing up to a bunch of treaties and thinking that it will all work out sometime in the future. It is a serious matter.

I am glad the chairman and others, Senator KYL, Senator HELMS, have taken such a lead in this. I am glad to see Chairman HELMS here. Chairman HELMS has said consistently, this treaty is not good for America. He has refused to endorse it. He opposes it. Now we have had hearings and debate, and a growing number in this Senate are agreeing with him. I don't believe there are votes sufficient to pass it, because I do not believe that it is good for the country. I think the opinion of Senator HELMS on that is being validated daily by the experts, as well as Members of this body.

Mr. President, I thank the chairman for his leadership. I appreciate Senator BIDEN's ability to articulate and to advocate. It makes us all think carefully about what we are doing. I think it has been a good debate. I think we have learned a lot. In the end, I think this Senate will conclude this is not the time to ratify this treaty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I am going to take about 5 minutes to respond to my friend from Alabama. He may have to catch a plane or something. I hope he will understand that, if he is not on the floor.

First of all, I find it fascinating. I think he may want to amend the record—I am being a bit facetious, a little tongue in cheek—amend the record by suggesting that he has greater faith in headline writers and reporters than he does in the transcript I am about to read.

I don't know whether he has ever been bitten by a headline. We all know headline writers read—and no one knows this better than my friend from North Carolina—the part of the copy that is given to them, and they get to write the headline they want. Sometimes it bears little resemblance to what happened. I hope we don't put any faith in a headline. I am not suggesting we shouldn't put faith in what is written by reporters sometimes. What was said in this article is accurate, but it is not complete. As my friend from Alabama said, we do not have one voice speaking on this, but we do have one record, one record from the hearing. I have a copy of the record from the hearing conducted in the Armed Services Committee yesterday, page 59. I will read the whole thing. It will take a minute.

Senator LEVIN. Therefore, what you are telling us is that if this safeguard [the Strategic Stockpile Program] and other safeguards are part of this process that you can rely upon, that in your words, Dr. Robinson, you are on board in terms of this treaty; is that correct?

Dr. ROBINSON. I am on board that science-based stockpile stewardship has a much higher chance of success and I will accept it as a substitute.

Going on to page 60.

Dr. ROBINSON. As a substitute for requiring yield tests for certification.

The tests he is referring to are nuclear tests. Then further on down, Dr. Tarter says:

I can only testify to the ability of stockpile stewardship to do the job. It is your job, about the treaty.

Senator LEVIN. Are you able to say that, providing you can rely on safeguard F—

My description: Safeguard F is the safeguard that allows the President to get out of the treaty if the lab Director certifies that he is not able to certify the safety and reliability.

Senator LEVIN. Are you able to say that, providing you can rely on safeguard F and at some point decide that you cannot certify it, that you are willing under that condition to rely on this stewardship program as a substitute for actual testing?

Dr. TARTER. Yes.

Further down, same page:

Dr. BROWN. Senator LEVIN, if the government [the laboratories] provides us with the sustained resources, the answer is yes, and if safeguard F is there, yes.

Now I am not suggesting all else that is quoted is not accurate. But it is useful to have a punchline at the end of the quotes. It may be viewed as tortuous; it may be viewed in any way you want. I don't think my friend from Alabama means that because these renowned scientists happen to work for the Federal Government—they also, by the way, are in the employ, if I am not

mistaken, of outside laboratories and industries as well, or at least on loan from them—I hope nobody is suggesting—and I am sure he is not—that they would alter their testimony because the President of the United States or the Secretary of Energy takes a position that is consistent with theirs, and that is why they are taking it.

I know my friend from Virginia will want to respond to this today, or Tuesday, or whenever he wants to do it. We will have plenty of time. I did not want there to be a hiatus between the comments of my friend from Alabama and my responding. I will conclude, I say to my friend from North Carolina. I think we should be—and believe me, I need this admonition for myself as well—a little careful about some of the words we use, such as ''unilateral disarmament.'' I don't think anybody is arguing we are unilaterally disarming.

At any rate, I see my friend from Virginia has come down from on high and I assume wants to respond.

I yield the floor.

(Mr. INHOFE assumed the Chair.)

Mr. WARNER. Mr. President, I am anxious to receive the remarks of our distinguished chairman. But I was right there when Senator LEVIN asked the questions. I will put in the RECORD my edification of their replies.

We have to understand, this Stockpile Stewardship Program, SSP, is basically a computer and other adjuncts, scientific devices that we are going to put in place—that is the key, ''put in place''—at the minimum, 5 or 6 years from now, but more likely 10 years from now. In the opinion of the Director of Sandia Laboratories, it could be 20 years. That is all in the RECORD in response to my question.

These Directors carefully said: Yes, we are meeting the current milestones in putting together this computer and other high-tech test programs, but we are a long way away. It could be as much as 20 years. So we could go to a period of, at a minimum, 8 to 10 years without any testing of the type that is a substitute for actual testing. Today, the stockpile is safe. Tomorrow, it is credible and safe. But as the years go on—and Senator BYRD used the words, as the years go on—the natural degrading under the law of physics of metallic parts, of chemical parts, and other parts takes place.

Therefore, this hope for SSP, in sum, is almost a dream, but these men conscientiously are working on it day and night. Hopefully, in a period of anywhere from 6, 7, 8, 9, 10, maybe 20 years, it will be on line for that type of database which actual testing will give.

In the meantime, we are going through with part of the SSP program, but not all of it—bits and pieces of it—largely relying on the test data of a bank of information we have in this country developed over the period of 50 years in which we did actual tests.

I thank my colleague.

Mr. BIDEN. Mr. President, I will pursue this more on Tuesday. I respectfully suggest that argument was based on a fallacy, and that is, the Stockpile Stewardship Program will not stay at zero until it is completed. We began this years ago. It is already working. We already use testing methods that do not require nuclear explosions.

The Senator will remember the chart James Schlesinger had with the arrows going up and down, and I quote from Dr. Sig Hecker, the Director of Los Alamos in 1997, whom everybody quotes these days, wrote a letter to the Senator from Arizona and said:

> . . . there have been several instances since the cessation of nuclear testing in September 1992, where we have found problems . . . for which in the past we would have turned to a nuclear test in the kiloton range to resolve. In the absence of testing, we have used the methodology of [Stockpile Stewardship] to evaluate the problem and suggest fixes if required.
>
> This has included more extensive calculations, non-nuclear laboratory experiments, comparison to previous nuclear test data, and the extensive experience of our designers and engineers. Moreover, our assessment has been checked against the rigors of peer review by the Lawrence Livermore National Laboratory. We have examined several problems of this nature during this year's certification cycle.
>
> At this time, we have sufficient confidence in our solutions to certify the stockpile without a resumption of nuclear testing. If our confidence in the fixes were not sufficiently high, we would not certify the stockpile.

He is no longer the lab Director, but I assume my colleagues all believe him to be an honorable man. When they say testing is not needed at this time—that is, the Directors—I ask my colleagues whether or not they agree with Jim Schlesinger, who said it is not needed at this time and he doubts it will be needed in the future.

Let me explain. We are using data from 1,000 past nuclear tests—as my friend says, from nonnuclear subcritical experiments and from high-tech simulations to understand what is happening and what may happen in the weapons stockpile.

Four facilities that will not be ready until 2005 are—they are called the National Ignition Facilities—a contained firing facility, dual-access radiographic hydrodynamics test facility, and the Atlas Plus power facilities. These facilities—and this is important—are all logical successors to older, less capable facilities. Our scientists are pushing the envelope but are not engaging in flights of fancy. That is why our labs and the Department of Energy are confident the National Ignition Facility will work, even though it has cost overruns. These facilities will serve several purposes and increase knowledge of basic physics of nuclear weapons. That new knowledge will lead to more accurate and precise computer simulations. The facilities can also be used to test the particular weapons problems. That is why I say our weapons will still be tested, even without full-scale nuclear weapons testing.

Another key tool we are developing is this advanced supercomputing accelerated strategic computing initiative, another generation of supercomputers that will be able to synthesize test data from the past, and all of the testing done on weapons components, to provide three-dimensional simulations of all aspects of nuclear weapons and how they react. Already, our scientists and engineers are working with industry and several universities to develop computers that are capable of running more than 3 trillion operations per second. That is a new record level of computing power, and it gives us new safety.

Our goal, admittedly, over the next 5 years is for those supercomputers to be able to do 100 trillion operations per second. That is not something we need in our stockpile today. In fact, it represents a 100,000-fold increase in today's computational ability, and everybody says today's computational ability is sufficient to guarantee the stockpile. But when our weapons reach their so-called shelf life, then it is going to be needed, and we anticipate needing that sophisticated modeling. No one thinks that sophisticated modeling is needed now.

Finally, I have real questions about my colleagues' concern that the stockpile stewardship cannot work. Our scientists are the best in the world. They know what they are doing. They define scientific challenges that must meet the military performance and reliability standards. After defining these challenges, they believe they can meet them. I believe they know what they are talking about. But I see one problem. The one problem the Stockpile Stewardship Program faces now and in the future is that some may not fund it. That is what our colleagues at the laboratories are talking about.

Let me quote and conclude from a news release released today by the Department of Energy. I will submit it for the RECORD. It is ''For Immediate Release,'' dated October 8, 1999, and is a joint statement by Directors of three nuclear weapons laboratories—I note parenthetically that my guess is they probably read the New York Times article—C. Paul Robinson, Sandia; John C. Browne, Los Alamos; C. Bruce Tarter, Lawrence Livermore National Lab.

I will read only from the fourth paragraph:

> While there can never be a guarantee that the stockpile will remain safe and reliable indefinitely without nuclear testing, we have stated that we are confident that a fully supported and sustained stockpile stewardship program will enable us to continue to maintain America's nuclear deterrent without nuclear testing.

Mr. President, I ask unanimous consent that the entire statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the DOE News, October 8, 1999]

JOINT STATEMENT BY THREE NUCLEAR WEAPONS LABORATORY DIRECTORS

(C. Paul Robinson, Sandia National Laboratories; John C. Browne, Los Alamos National Laboratory; and C. Bruce Tarter, Lawrence Livermore National Laboratory)

''We, the three nuclear weapons laboratory directors, have been consistent in our view that the stockpile remains safe and reliable today.

''For the last three year, we have advised the Secretaries of Energy and Defense through the formal annual certification process that the stockpile remains safe and reliable and that there is no need to return to nuclear testing at this time.

''We have just forwarded our fourth set of certification letters to the Energy and Defense Secretaries confirming our judgment that once again the stockpile is safe and reliable without nuclear testing.

''While there can never be a guarantee that the stockpile will remain safe and reliable indefinitely without nuclear testing, we have stated that we are confident that a fully supported and sustained stockpile stewardship program will enable us to continue to maintain America's nuclear deterrent without nuclear testing.

''If that turns out not to be the case, Safeguard F—which is a condition for entry into the Test Ban Treaty by the U.S.—provides for the President, in consultation with the Congress, to withdraw from the Treaty under the standard ''supreme national interest'' clause in order to conduct whatever testing might be required.''

Mr. BIDEN. Mr. President, let me conclude by pointing out that I find it kind of interesting. The very people who stand up here and say, as I happen to believe, that they have confidence that our scientists in the future are going to be able to shoot out of the sky like a bullet meeting a bullet incoming nuclear weapons over the ocean traveling at multithousand miles per hour and do it with certainty and accuracy—they have faith in the ability of that to occur, but they don't have faith in the ability of our scientists at the three laboratories, who say they are well on their way to doing that, to be able to say what they need.

I find it kind of interesting. I must admit it is a double-edged sword. I find my Democratic colleagues who do not support any national defense initiative—because they say this star wars notion can't work, it is too far out—I do not know how they come and rely so easily upon the likelihood that a $45 billion investment is going to guarantee these supercomputers will function to the degree they are needed to when these weapons reach their shelf life. But let's be fair. You can't have it both ways. I would respectfully submit that the ability to guarantee MIRV nuclear warheads fired in the hundreds or the thousands at the United States could be blown out of the sky with impunity by a missile defense initiative on our part is a mildly greater scientific feat than what the stockpile requires.

As someone said: ''The faith of our father''—''the faith of our father''—has always been that if we put our mind to it, if we invest the money, we have the intelligence, the ingenuity, and the know-how to get it done. I would respectfully suggest our three present laboratory Directors and all the doubts they express are primarily related to whether or not safeguard F and funding of $45 billion for the stockpile would be forthcoming.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, the best deterrent from keeping those thousands of missiles coming in is precisely what we have had these 50-plus years—a credible safe deterrent in our stockpile. And the person whose finger is on the button firing those missiles knows that.

I am reading from yesterday's proceedings of the Senate Armed Services Committee on page 50 where the chairman, myself, asked the following questions. This is one of the laboratory Directors testifying:

''We moved this year toward the development of the SSP, and last year toward putting in place the supercomputers on a path that we think we need to have. We are on a path that by 2004 we will have a supercomputer in place that begins''—begins—''to get us into the realm of what we need to do this job''—namely certifying the stockpiling.

''The issue that I think you are trying to address''—this is the hardest point I think as a scientist—''is that we cannot predict that by such and such a date we will know everything we need to know.''

''It is an evolving process. Each year we learn something else.''

Bit by bit, year by year.

I then asked: ''My time is running out.''

And it is running out. We want to control time.

''Give us your best estimate, doctor,'' Senator WARNER said.

''Dr. Brown: I think we are going to be in the best position sometime between 2005 and 2010.''

''Chairman WARNER: Dr. Tarter.''

''Dr. Tarter: I agree with Dr. Brown.''

''Dr. Robinson: My guess is somewhere in the 10 years hence to 20 years hence period.''

There it is, short answers directed to the question.

Mr. BIDEN. Would my friend yield for a question? From what page of the record was he reading?

Mr. WARNER. Page 50 of the official transcript of the Armed Services Committee.

Mr. BIDEN. I don't doubt it. I read from page 59 to get the significance?

Do you get the significance?

That was stated on 50 and 51 and 52. This is 59. After all is said and done, the question was asked: Do you believe with the safeguards you can rely upon the stockpile, the strategic stockpile, approach as opposed to nuclear testing?

They said yes.

It follows. Page 59 and 60, I am reading from. Maybe there is something after page 61 in the testimony that would undermine what I have just said. I respectfully suggest I am unaware of it if it is. I stand ready to hear it if it has been.

It is one of those deals, folks. You have to go to the end. It ''ain't over until the fat lady sings.'' It ain't over until you read the whole transcript. The last thing stated was: We have confidence.

Then, after the testimony, after the testimony and after the New York Times article, the Department of Energy and in the name of the three scientists quoted—and I will read it again.

''While there can be no guarantee''—the point he is making on page 50—''that the stockpile remains safe and reliable indefinitely without nuclear testing, we have stated that we are confident that a fully supported and sustained stockpile stewardship program will enable us to continue to maintain America's nuclear deterrent without nuclear testing.''

I yield the floor.

Mr. WARNER. Mr. President, it is 117 pages. I sat there for 5 hours 10 minutes. How well I know the various parts of this system. I was weary after 3 days of testimony. But it is all here for all Senators to read. I invite them to spend as much time as they can on the record.

It comes down to honest men, well-intentioned individuals—men and women on both sides of the issue—cannot agree, and should we move forward with a treaty that will vitally affect our security interests, unless the preponderance of the evidence is overwhelming, and beyond a reasonable doubt? Give us the certainty to make that step.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I have a few brief comments to make in response to the very eloquent remarks from the Senator from West Virginia, in which I thought he covered it quite well. He had a concern for whether the intelligence estimate was going to be forthcoming.

I would suggest, and get into the RECORD at this time, that back in December of 1995 we were waiting for the NEI report to come out. And it came out.

That report said we would not have to defend ourselves in the United States of America for a limited attack in terms of—the discussion, of course, was the national missile defense—until approximately 15 years, not any less than 15 years.

We found out later that was actually imminent at that time.

I can recall so well writing the Chairman and Joint Chiefs of Staff, General Shelton, on the 24th of August of this last year—1998—and asking him to be specific in terms of taking the national intelligence estimate and all the information that he could garner and tell me at approximately what date North Korea would be able to fire a missile, a multiple-stage rocket. He came back and said it would be more than 5 years.

Seven days later—on the 31st of August, 1998—they fired one.

I think we all know right now that they have another type of missile that can reach Washington, DC, from anyplace in the world in about 35 minutes, and we don't have any defense against that.

I don't think, if we are going to rely on the NEI information, we are relying on something that is going to be in the best interests of defending our country.

The Senator from West Virginia also talked about the ratification process and about needing more time.

We hear over and over again from every single person who stood up to defend the CTBT we need more time, we have to have more time. Yet if one reads what those same individuals are saying, the President of the United States said on the 16th of May, 1998:

> Now it's all the more important that the Senate act quickly, this year, so we can increase the pressure on, and isolation of, other nations that may be considering their own nuclear test explosions.

Also the President said:

> . . . I ask the Senate to approve it [CTBT] this year.

That was 1998—last year; here it is 1999.

Vice President AL GORE said the same thing:

> The U.S. Congress should act now to ratify the Comprehensive Test Ban Treaty.

That is July of 1998.

Secretary Albright said:

> We need this Treaty now.

That was on September 23, a few days ago, this year.

She said, further:

> For American leadership, for our future, the time has come to ratify CTBT—this year, this session, now.

I could go on and on; the leaders have said we have to do it now.

As far as taking up this treaty, knowing what is in it, the treaty has been there for 2 years. We have all had an opportunity. Have I read the entire treaty? No, but I read the areas that concern me on verification, on zero-yield thresholds, things where I know we cannot verify what would be done. Verification is not there.

I remind Members, every Senator, including the illustrious Senator from Delaware, had the opportunity to object to the unanimous consent request propounded and agreed to a few days ago calling for the vote to take place after the 14 hours of debate which should be some time on Tuesday or Wednesday.

The only Senator from that side who is not openly supporting this yet is the Senator from West Virginia who said, by his own mistake, he was not able to get down in time to object to the unanimous consent request.

We had an opportunity for every Senator to have slowed this train down so they wouldn't have to vote on it and they elected not to do it.

I think it is very important we all keep that in mind. This is significant. It is something we have reviewed over a long period of time. It is something we understand. We have heard the professional testimony. We have attended many meetings. I along with the Presiding Officer, have sat through hours of committee meetings and subcommittee meetings that I have held in my committee on this very subject. I think we understand it and I agree with the statements of all of those, including the President, Vice President, and the Secretary of State, who I quoted. We need to do it now.

I will be here to object to any unanimous consent that would in some way vitiate the vote that we believe should be imminent next week.

I yield the floor.

Mr. BIDEN. Mr. President I will take 1 minute.

The President doesn't need any more time; he read it and negotiated it. I don't need any more time; I spent over 100 hours on that. It is my job on the committee of responsibility. The Senator presiding doesn't need more time; he spent hundreds of hours. The Senator from Oklahoma doesn't need more time because he spent hundreds of hours on it. I defy anyone to find five other Members of the Senate who have spent as much time.

Usually what happens is we take on the responsibility to inform our colleagues based on our committees because we have more expertise when assigned the job. When it is tax policy, I don't know what the Tax Code says on major changes, but I rely upon the committee headed on the Democratic side by my friend from New York to tell me what is in it from spending hundreds of hours going through the detail.

This is a different way to do business. I don't ever remember Members having voted on a treaty without there being a significant report from the relevant committees on the floor.

The President doesn't need any more time. I don't need any more time. Senator BYRD says he needs more time, and I don't know anybody more conscientious than Senator BYRD. But the reason for more time is there haven't been any hearings.

I yield the floor.

The PRESIDING OFFICER. The chairman of the Senate Foreign Affairs Committee, the Senator from North Carolina.

Mr. HELMS. Mr. President, I assure my friend from Delaware, the ranking Democrat on the Foreign Affairs Committee, I enjoy hearing him and hearing him and hearing him.

I guess it is sort of similar to what the President said in one of his strong moments not long ago: I guess it depends on what the definition of ''is'' is.

This afternoon in Canada, President Clinton held a press conference in which he explicitly rejected the offer I made along with a number of other Republican Senators that the Senate would put off a vote on the CTBT if the President requested in writing (a) that the treaty be withdrawn and (b) that it not be considered for the duration of his presidency.

Considering that the President acknowledged he does not have the votes to ratify the treaty, this seemed to many of us a generous offer which the President rejected with a strange rhetorical outburst.

When asked about our offer today, he said:

> They want me to give them a letter to cover the political decision they have made that does severe damage to the interest of the United States and the interest of nonproliferation in the world? I don't think so.

The Mr. President further suggested, strangely and absurdly, that the reason we made the offer in the first place was because, as he put it, Republicans are afraid to go though with a vote. He said:

> . . . they want to [kill the treaty] and don't want to get up and defend it before the American people in an election year. . . . [They think] that some letter from me will somehow obscure [that fact] . . .

Mr. President, among those who are urging that the Senate kill this dangerous treaty are: six former Secretaries of Defense, four former National Security Advisors, four former Directors of Central Intelligence, and two former Chairmen of the Joint Chiefs of Staff.

Yet, Mr. Clinton suggests that Republicans are afraid to vote? The fact is, the President and his advisors have done everything possible to discourage a solution.

Let's make it clear so the President can get his confusing rhetoric straightened out: Since he has rejected our offer, I will object, along with many of my Republican colleagues, to any effort to put off next week's vote on the Comprehensive Test Ban Treaty.

This is a dangerous treaty, contrary to the national security interests of

the American people. The Senate should go on record as planned: The Senate should vote this treaty down.

Mr. President, may I make an inquiry how much time has expired on each side since this morning when the Senate convened?

The PRESIDING OFFICER. The Chair advises the distinguished chairman of a remarkable coincidence: The opponents have used 204 minutes, the proponents, 208 minutes.

Mr. HELMS. Mr. President, pursuant to the unanimous-consent agreement by the Senate, consideration has begun regarding an arms control treaty that has been the longest-sought, hardest-fought item on the unilateral nuclear disarmament agenda. Strangely, the Clinton administration has used every fanciful reasoning in its attempt to portray the Comprehensive Test Ban Treaty (CTBT) as an agreement long pursued by every administration since President Eisenhower, a claim that is bewilderingly untrue. Even the administration's own negotiator acknowledged that the administration's claims are ''hyperbole.''

You see, Mr. President, the truth of the matter is that not one administration (prior to the current one) ever proposed a zero-yield, unverifiable, permanent duration test ban. Indeed, as Ambassador Ledogar admitted, even the Clinton administration itself did not want such a treaty initially.

Someone has commented that the CTBT now before the Senate is the clearest case of ''parchment worship'' ever seen. It was neither carefully negotiated nor well-thought through. It does not even define exactly what it bans.

Instead, the CTBT is the product of a mad scramble to: (1) Create an arms control ''legacy'' for the Clinton-Gore administration; or (2) provide an excuse for this administration's lack of any nonproliferation policy; or (3) obscure the fact that this administration presided over the collapse of the single-most significant reduction in nuclear weapons with Russia ever negotiated—the START II Treaty—which would have eliminated all MIRVed ICBMs and the SS–18 missile. (The likelihood is that all three played a major role in the administration's decision to try to ram through this Senate this unwise and dangerous treaty.)

Unfortunately, in the race to fashion a last-minute rickety ''legacy'', the Clinton administration abandoned longstanding United States policy on nuclear testing and signed up to a ''zero yield,'' unverifiable, permanent duration test ban. As several of us have noted, for a number of reasons relating to verification and U.S. nuclear weapons requirements, this is something to which no other administration ever agreed. For instance, President Eisenhower—who has been repeatedly and mistakenly blamed with authorship of the CTBT—insisted that nuclear tests with a seismic magnitude of less than 4.75 be permitted.

The reason that the United States historically has refused to sign on to a zero yield test ban is that five problems are created by such a prohibition. First, confidence in the safety and the reliability of the weapons stockpile will erode. Second, warheads cannot be ''remanufactured'' to capitalize upon modern technologies. Third, no further designs or capabilities can be added to the nuclear stockpile. Fourth, critical infrastructure and hardware cannot be thoroughly ''hardened'' against nuclear weapons effects. Fifth, the U.S. can have no confidence that other countries are abiding by the CTBT because a zero yield ban cannot be verified.

By preventing the United States from testing, the CTBT will erode our ability to discover and fix problems with the nuclear stockpile and to make safety improvements. Confidence that the weapons will perform as needed will erode. Already, leaders of our own nuclear weapons design laboratories have stated that problems with the stockpile have arisen that formerly would have prompted nuclear tests.

Further, several of the weapons are not as safe as they could be. As this chart demonstrates, only one warhead of the nine in the stockpile is equipped with all of the modern surety features available. One weapon—the W62—does not have any safety features at all, and three of the weapons—the W76, W78, and W88—are only equipped with ''enhanced detonator safety'' measures.

Mr. President, several important safety improvements cannot be made to these weapons unless subsequent nuclear testing is allowed to ensure that modified devices will function properly with these changes. I will underscore that for Senators. The CTBT will prevent the United States from making critical safety improvements to its warheads. I, for one, agree with the Governor of North Dakota who wrote to me opposing the CTBT stating:

> As a governor of a state that hosts a sizable percentage of our nation's nuclear weapons, I have an obligation to the people of North Dakota to ensure that these warheads are as safe and reliable as they can be made. It troubles me that several U.S. warheads do not contain the most modern safety features available, such as fire-resistant pits and insensitive high explosives. Yet these warheads cannot capitalize upon such improvements without nuclear testing.

I hope Senators will understand that the CTBT will gradually undermine the safety of the U.S. deterrent by precluding the incorporation of modern safety features.

Moreover, nuclear testing is essential if the United States is to discover and fix problems with the stockpile. These problems usually are associated with aging. The materials and components of weapons can degrade in unpredictable ways and can cause the weapon to fail. Many weapons believed to be reliable and thoroughly tested nevertheless developed problems which were only discovered, and could only be fixed, through nuclear testing. In fact, one-third of all the weapon designs placed in the stockpile since 1958 have required and received post-deployment nuclear tests to resolve problems.

In three quarters of these cases, the problems were identified and assessed only as a result of nuclear testing, and only could be fixed through testing.

The United States has chosen to remanufacture aging weapons in the enduring stockpile rather than designing and building new ones. This presents problems because many of the materials and processes used in producing the original weapon are no longer available. New materials and processes need to be substituted, but they can only be validated to assure that the remanufactured weapon works as intended through nuclear testing.

Exact replication, especially of older systems, is impossible without testing. In part, this is because documentation has never been sufficiently exact to ensure replication. Nuclear testing is the most important step in product certification; it provides the data for valid certification. As a case in point, the United States attempted to remanufacture both the W52 and W68 warheads on the basis of simulations. However, when actually tested, both weapons had a measured yield well short of what test-experienced weapons designers predicted. This is a lesson that the administration, in supporting the CTBT, seems willing to forget.

The CTBT also will prevent the United States from developing new weapons to counter new technological advances by adversaries. Nuclear testing is essential to such modernization. Without it, the nuclear triad will become obsolete.

I fail to see the logic behind the argument that the United States has no need to modernize its deterrent if Russia, China, and others are similarly constrained. Such a claim just won't fly; in fact, given the demonstrable inability to verify a total test ban, I am persuaded that such assertions are founded upon the mistaken presumption that nuclear weapons modernization is driven by the evolution of other nuclear deterrents. Historically, this simply has not been the case.

Indeed, nuclear weapons modernization is generally driven either by new mission requirements, or by non-nuclear technological evolution in defensive systems. For instance, during the cold war, advances in air defense and anti-submarine warfare created needs for new weapons. Nuclear testing was needed to create the B83 bomb, a gravity bomb—a ''laydown weapon'' because it enabled the B–1B to drop its payload, at low altitude and high speed, and thereby escape the resulting explosion.

This weapon was needed in response to advances in air defense capability. For the same reason, the U.S. developed the nuclear air-launched cruise missile, which allows U.S. bombers to fulfill their mission outside of air defense ranges.

Nuclear testing was needed for the Trident II missile's warheads, W76 and W88. Testing was essential to optimize the system, giving the missile, and thus the submarine as well, increased striking range. This was needed in response to advances in anti-submarine warfare. Without the ability to test and modernize, the airmen and sailors aboard our bombers and submarines will be put at increased risk as they try to perform their duties with obsolete technology. Senators should think carefully about the implications of the CTBT, and the risk it poses—not just to the nuclear weapons themselves—but to our servicemen.

Our clear, future need facing the United States is the requirement to develop new or modified warheads to respond to developments in missile defense—particularly in the area of directed energy. It would be impossible to adapt to such developments under a complete test ban.

Further, without the ability to design new weapons, such as a warhead optimized to kill biological plagues or to destroy deeply-buried targets, the U.S. will be unable to respond to serious emerging threats to our security. I could not agree more with one of the former Directors of Lawrence Livermore National Laboratory, Dr. Roger Batzel, who warned that; ''A nuclear arsenal which is unable to keep pace with a changing security environment is unlikely, in the long run, to prove much of a deterrent.''

Fourth, the CTBT would make the United States increasingly vulnerable to foreign nuclear programs. Critical systems such as satellites cannot be hardened and thoroughly protected against electro-magnetic pulse attack without nuclear testing. Computers cannot simulate a nuclear environment. Neither can controlled radiation sources. It takes a nuclear explosion to create the heat and complex interplay of radiation needed to evaluate the resistance of systems to these nuclear effects.

Historically, the United States often has been surprised by how systems which seemingly performed as needed during non-nuclear simulations then failed to function properly in an actual nuclear environment. Indeed, surprises have been found in the vulnerability to nuclear effects of all U.S. strategic nuclear systems except the Minuteman II. The CTBT will allow counties to exploit a growing U.S. vulnerability brought about by an increasing reliance on high-tech weaponry and a decision not to test in order to harden systems.

Finally, a ''zero yield'' test ban is not verifiable. While the exact thresholds are classified, it is commonly understood that the United States cannot detect nuclear explosions below a few kilotons of yield. Countries are able to resort to a number of techniques, ranging from ''unattended detonations'' to seismic decoupling, that will enable them to conduct significant nuclear explosions with little chance of being detected.

The proposed verification regime under the CTBT offers scant reassurance in this matter. The seismic detection thresholds of the International Monitoring System are sufficiently high that a large amount of clandestine testing could occur without fear of seismic detection. Moreover, the on-site inspection regime is riddled with loopholes and deficiencies.

The bottom line is that if the Senate were to make the mistake of approving this treaty, the United States would scrupulously adhere to the CTBT, thereby losing confidence in its nuclear deterrent. Other nations, however, most likely would violate the treaty and escape detection, building new weapons to capitalize upon the U.S. deficiencies and vulnerabilities created by the CTBT. For these reasons, I oppose the CTBT and I am gratified that more and more Senators are making clear their opposition to ratification of an unwise, even dangerous, proposal to deprive the American people of the protection they need and deserve.

Mr. President, for just a moment I suggest the absence of a quorum and then I will resume.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HELMS. I thank the Chair.

Mr. President, I ask unanimous consent that it be in order for me to suggest the absence of a quorum and the time be divided equally from both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise simply to express the thanks of this Senator to the eminent chairman of the Committee on Foreign Relations for the careful discourse he has presented to us, for the facts, they are complex. No one understands complexity better than he or is more willing to live with it. If we do not come to the same conclusions, it is not for lack of respect and, indeed, a reverence.

Mr. HELMS. Mr. President, I do thank my friend from New York—our friend from New York—whom we will sorely miss before very long.

I thank the Senator and suggest the absence of a quorum.

The PRESIDING OFFICER. Hearing no objection to the unanimous consent request from the Senator from North Carolina, without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HELMS). Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, the Senate will soon exercise its constitutional duty of ''advice and consent'' for international treaties. This is a solemn task. And the treaty before us, the Comprehensive Test Ban Treaty or ''CTBT,'' relates to an issue of utmost importance, the proliferation of nuclear weapons.

As I have evaluated this treaty, I have kept one question first and foremost in my mind: Will ratification of this treaty by the United States serve to protect the national security of the United States? And after careful consideration, my position is that the CTBT weakens the national security of the United States, and I will therefore oppose ratification.

Although I support the lofty goals of the Test Ban Treaty—preventing the spread of nuclear weapons—I think only the good guys will play by the rules. Test ban advocates argue that setting a good example will lead others to play by the rules. The United States has not tested a bomb since 1992, but India and Pakistan went ahead with testing bombs, despite U.S. sanctions and condemnation.

Test Ban advocates also argue that the threat of sanctions will keep countries in line. As my colleagues will recall, North Korea violated the Nuclear Non-Proliferation Treaty—in fact, are still violating the NPT—and the Clinton Administration has rewarded the DPRK with aid, and more recently, with the removal of sanctions. I suspect the same pattern if rogue nations like North Korea even ratify the CTBT.

But even more fundamentally, I believe this zero-yield treaty of unlimited duration fundamentally threatens the United States' nuclear deterrent by preventing nuclear testing essential to maintaining the safety and reliability of our nuclear stockpile. Our nuclear weapons are the most sophisticated designs in the world, yet over time, the nuclear materials and high explosives triggers deteriorate, and we lack the experience in predicting the effects of these changes.

According to expert testimony, one-third of all weapons designs introduced

into the nuclear weapons stockpile since 1985 have required and received post-deployment nuclear tests to resolve problems. In three-fourths of these cases, the problems were discovered only because of on-going nuclear tests. In each case, the weapons were thought to be reliable and thoroughly tested.

How confident can we be in the reliability of our nuclear stockpile if we are unable to test these weapons to determine the degradation effects of aging? If we cannot be confident in our own weapons' effectiveness, what do you suppose other nations will conclude? The use of nuclear weapons as a deterrent is only effective when other parties believe in their capability as well.

Although the Stockpile Stewardship Program should be pursued, we must remember that the Program is in its infancy. Deciding in 1999 to rely on an untested program that will be operational in 2010 is reckless. In the future, I hope that nuclear tests can be replaced by computer simulations and laboratory-based experiments. But I am not willing to bet my grandchildren's security on it.

In light of hearings this past year before the Energy and Natural Resources Committee on Chinese espionage allegations, I also am not comfortable placing the results of our nuclear testing in the memory banks of the National Labs' computers which are vulnerable to espionage or sabotage.

Finally, I would like to address the problem of verifying other nations' compliance with the Comprehensive Test Ban Treaty. Recent reports from the intelligence community indicate that we are unable to monitor low-level nuclear tests precisely enough to distinguish between a conventional explosion, a low-level nuclear test, or even natural seismic activity. The United States cannot now, and may not in the foreseeable future, be able to confidently detect and identify militarily significant nuclear tests of one kiloton or less. That is roughly 500 times the size of the blast which destroyed the Murrah Building in Oklahoma City.

Twice last month Russia carried out what might have been nuclear explosions at its Novaya Zemlya testing site in the Arctic. It was reported that U.S. surveillance satellites have repeatedly observed the kind of activity that usually precedes and follows a low-level nuclear test. Yet, data from the CIA's seismic sensors and other monitoring equipment were reportedly insufficient to reach a firm conclusion as to the true nature of the explosions. If it is not possible to confirm tests such as these, how are we going to verify that countries such as Russia and China are complying with the Comprehensive Test Ban Treaty?

Mr. President, this Treaty is not in the national interest and I urge my colleagues to reject its ratification.

Mr. LUGAR. Mr. President, the Senate has begun consideration of the Comprehensive Test Ban Treaty. I regret that the Senate is taking up the treaty in an abrupt and truncated manner that is so highly politicized. Admittedly, the CTBT is not a new subject for the Senate. Those of us who over the years have sat on the Foreign Relations, Armed Services, or Intelligence Committees are familiar with it. The Senate has held hearings and briefings on the treaty in the past.

But for a treaty of this complexity and importance a more sustained and focused effort is important. Senators must have a sufficient opportunity to examine the treaty in detail, ask questions of our military and the administration, consider the possible implications, and debate at length in committee and on the floor. Under the current agreement, a process that normally would take many months has been reduced to a few days. Many Senators know little about this treaty. Even for those of us on national security committees, this has been an issue floating on the periphery of our concerns.

Presidential leadership has been almost entirely absent on the issue. Despite having several years to make a case for ratification, the administration has declined to initiate the type of advocacy campaign that should accompany any treaty of this magnitude.

Nevertheless, the Senate has adopted an agreement on procedure. So long as that agreement remains in force, Senators must move forward as best they can to express their views and reach informed conclusions about the treaty.

In anticipation of the general debate, I will state my reasons for opposing ratification of the CTBT.

The goal of the CTBT is to ban all nuclear explosions worldwide: I do not believe it can succeed. I have little confidence that the verification and enforcement provisions will dissuade other nations from nuclear testing. Furthermore, I am concerned about our country's ability to maintain the integrity and safety of our own nuclear arsenal under the conditions of the treaty.

I am a strong advocate of effective and verifiable arms control agreements. As a former Vice-Chairman of the Senate Arms Control Observer Group and a member of the Foreign Relations Committee, I have had the privilege of managing Senate consideration of many arms control treaties and agreements.

I fought for Senate consent to ratification of the INF Treaty, which banned intermediate range nuclear weapons in Europe; the Conventional Forces in Europe Treaty, which created limits on the number of tanks, helicopters, and armored personnel carriers in Europe; the START I Treaty, which limited the United States and the Soviet Union to 6,500 nuclear weapons; the START II Treaty, which limited the U.S. and the former Soviet Union to 3,500 nuclear weapons; and the Chemical Weapons Convention, which outlawed poison gas.

These treaties, while not ensuring U.S. security, have made us safer. They have greatly reduced the amount of weaponry threatening the United States, provided extensive verification measures, and served as a powerful statement of the intent of the United States to curtail the spread of weapons of mass destruction.

I understand the impulse of the proponents of the CTBT to express U.S. leadership in another area of arms control. Inevitably, arms control treaties are accompanied by idealistic principles that envision a future in which international norms prevail over the threat of conflict between nations. However, while affirming our desire for international peace and stability, the U.S. Senate is charged with the constitutional responsibility of making hard judgments about the likely outcomes of treaties. This requires that we examine the treaties in close detail and calculate the consequences of ratification for the present and the future. Viewed in this context, I cannot support the treaty's ratification.

I do not believe that the CTBT is of the same caliber as the arms control treaties that have come before the Senate in recent decades. Its usefulness to the goal of non-proliferation is highly questionable. Its likely ineffectuality will risk undermining support and confidence in the concept of multi-lateral arms control. Even as a symbolic statement of our desire for a safer world, it is problematic because it would exacerbate risks and uncertainties related to the safety of our nuclear stockpile.

The United States must maintain a reliable nuclear deterrent for the foreseeable future. Although the cold war is over, significant threats to our country still exist. At present our nuclear capability provides a deterrent that is crucial to the safety of the American people and is relied upon as a safety umbrella by most countries around the world. One of the most critical issues under the CTBT would be that of ensuring the safety and reliability of our nuclear weapons stockpile without testing. The safe maintenance and storage of these weapons is a crucial concern. We cannot allow them to fall into disrepair or permit their safety to be called into question.

The Administration has proposed an ambitious program that would verify the safety and reliability of our weapons through computer modeling and simulations. Unfortunately, the jury is still out on the Stockpile Stewardship Program. The last nine years have seen

improvements, but the bottom line is that the Senate is being asked to trust the security of our country to a program that is unproven and unlikely to be fully operational until perhaps 2010. I believe a National Journal article, by James Kitfield, summed it up best by quoting a nuclear scientist who likens the challenge of maintaining the viability of our stockpile without testing to ''walking an obstacle course in the dark when your last glimpse of light was a flash of lightning back in 1992.''

The most likely problems facing our stockpile are a result of aging. This is a threat because nuclear materials and components degrade in unpredictable ways, in some cases causing weapons to fail. This is compounded by the fact that the U.S. currently has the oldest inventory in the history of our nuclear weapons programs.

Over the last forty years, a large percentage of the weapon designs in our stockpile have required post-deployment tests to resolve problems. Without these tests, not only would the problems have remained undetected, but they also would have gone unrepaired.

The Congressional Research Service reported last year that: ''A problem with one warhead type can affect hundreds of thousands of individually deployed warheads; with only 9 types of warheads expected to be in the stockpile in 2000, compared to 30 in 1985, a single problem could affect a large fraction of the U.S. nuclear force.'' If we are to put our faith in a program other than testing to ensure the safety and reliability of our nuclear deterrent and thus our security, we must have complete faith in its efficacy. The Stockpile Stewardship Program falls well short of that standard.

The United States has chosen to remanufacture our aging stockpile rather than creating and building new weapon designs. This could be a potential problem because many of the components and procedures used in original weapon designs no longer exist. New production procedures need to be developed and substituted for the originals, but we must ensure that the remanufactured weapons will work as designed.

I am concerned further by the fact that some of the weapons in our arsenal are not as safe as we could make them. Of the nine weapon designs currently in our arsenal, only one employs all of the most modern safety and security measures. Our nuclear weapons laboratories are unable to provide the American people with these protections because of the inability of the Stockpile Stewardship Program to completely mimic testing.

At present, I am not convinced the Stockpile Stewardship Program will permit our experts to maintain a credible deterrent in the absence of testing. Without a complete, effective, and proven Stockpile Stewardship program, the CTBT could erode our ability to discover and fix problems with the nuclear stockpile and to make safety improvements.

In fact, the most important debate on this issue may be an honest discussion of whether we should commence limited testing and continue such a program with consistency and certainty.

President Reagan's words ''trust but verify'' remain an important measuring stick of whether a treaty serves the national security interests of the United States. The U.S. must be confident of its ability to detect cheating among member states. While the exact thresholds are classified, it is commonly understood that the United States cannot detect nuclear explosions below a few kilotons of yield. The Treaty's verification regime, which includes an international monitoring system and on-site inspections, was designed to fill the gaps in our national technical means. Unfortunately, the CTBT's verification regime will not be up to that task even if it is ever fully deployed.

Advances in mining technologies have enabled nations to smother nuclear tests, allowing them to conduct tests with little chance of being detected. Similarly, countries can utilize existing geologic formations to decouple their nuclear tests, thereby dramatically reducing the seismic signal produced and rendering the test undetectable. A recent Washington Post article points out that part of the problem of detecting suspected Russian tests at Novaya Zemlya is that the incidents take place in a large granite cave that has proven effective in muffling tests.

The verification regime is further bedeviled by the lack of a common definition of a nuclear test. Russia believes hydro-nuclear activities and sub-critical experiments are permitted under the treaty. The U.S. believes sub-critical experiments are permitted but hydro-nuclear tests are not. Other states believe both are illegal. A common understanding or definition of what is and what is not permitted under the treaty has not been established.

Proponents point out that if the U.S. needs additional evidence to detect violations, on-site inspections can be requested. Unfortunately, the CTBT will utilize a red-light inspection process. Requests for on-site inspections must be approved by at least 30 affirmative votes of members of the Treaty's 51-member Executive Council. In other words, if the United States accused another country of carrying out a nuclear test, we could only get an inspection if 29 other nations concurred with our request. In addition, each country can declare a 50 square kilometer area of its territory as off limits to any inspections that are approved.

The CTBT stands in stark contrast to the Chemical Weapons Convention in the area of verifiability. Whereas the CTBT requires an affirmative vote of the Executive Council for an inspection to be approved, the CWC requires an affirmative vote to stop an inspection from proceeding. Furthermore, the CWC did not exclude large tracts of land from the inspection regime, as does the CTBT.

The CTBT's verification regime seems to be the embodiment of everything the United States has been fighting against in the UNSCOM inspection process in Iraq. We have rejected Iraq's position of choosing and approving the national origin of inspectors. In addition, the 50 square kilomater inspection-free zones could become analogous to the controversy over the inspections of Iraqi presidential palaces. The UNSCOM experience is one that is best not repeated under a CTBT.

Let me turn to some enforcement concerns. Even if the United States were successful in utilizing the laborious verification regime and non-compliance was detected, the Treaty is almost powerless to respond. This treaty simply has no teeth. Arms control advocates need to reflect on the possible damage to the concept of arms control if we embrace a treaty that comes to be perceived as ineffectual. Arms control based only on a symbolic purpose can breed cynicism in the process and undercut for more substantive and proven arms control measures.

The CTBT's answer to illegal testing is the possible implementation of sanctions. It is clear that this will not prove particularly compelling in the decision-making processes of foreign states intent on building nuclear weapons. For those countries seeking nuclear weapons, the perceived benefits in international stature and deterrence generally far outweigh the concern about sanctions that could be brought to bear by the international community.

Further, recent experience has demonstrated that enforcing effective multilateral sanctions against a country is extraordinarily difficult. Currently, the United States is struggling to maintain multilateral sanctions on Iraq, a country that openly seeks weapons of mass destruction and blatantly invaded and looted a neighboring nation, among other transgressions. If it is difficult to maintain the international will behind sanctions on an outlaw nation, how would we enforce sanctions against more responsible nations of greater commercial importance like India and Pakistan?

In particularly grave cases, the CTBT Executive Council can bring the issue to the attention of the United Nations. Unfortunately, this too would most likely prove ineffective, given that permanent members of the Security Council could veto any efforts to punish

CTBT violators. Chances of a better result in the General Assembly are remote at best.

I believe the enforcement mechanisms of the CTBT provide little reason for countries to forego nuclear testing. Some of my friends respond to this charge by pointing out that even if the enforcement provisions of the treaty are ineffective, the treaty will impose new international norms for behavior. In this case, we have observed that ''norms'' have not been persuasive for North Korea, Iraq, Iran, India, and Pakistan, the very countries whose actions we seek to influence through a CTBT.

If a country breaks the international norm embodied in the CTBT, that country has already broken the norm associated with the Non-Proliferation Treaty (NPT). Countries other than the recognized nuclear powers who attempt to test a weapon must first manufacture or obtain a weapon, which would constitute a violation of the NPT. I fail to see how an additional norm will deter a motivated nation from developing nuclear weapons after violating the longstanding norm of the NPT.

On Tuesday the Senate is scheduled to vote on the ratification of the CTBT. If this vote takes place, I believe the treaty should be defeated. The Administration has failed to make a case on why this treaty is in our national security interests.

The Senate is being asked to rely on an unfinished and unproven Stockpile Stewardship Program. This program might meet our needs in the future, but as yet, it is not close to doing so. The treaty is flawed with an ineffective verification regime and a practically nonexistent enforcement process.

For these reasons, I will vote against ratification of the CTBT.

Mr. DASCHLE. Mr. President, today the Senate formally begins consideration of whether to ratify the Comprehensive Nuclear Test Ban Treaty, CTBT. Each party to this treaty pledges not to carry out any nuclear weapons tests and to refrain from helping others to carry out such tests. CTBT has been signed by over 150 nations, 51 of which have already ratified the treaty. The question before the Senate now is whether we should join this group in an international effort to limit the spread of nuclear weapons.

Although I will have more extensive remarks on the substance of the treaty shortly before the Senate votes, I would like to say a few words now about why I believe the Senate should ratify this important treaty. As in the case of previous arms control agreements, each Senator must ask himself or herself the following series of questions: Is U.S. national security enhanced by Senate ratification of the CTBT? Is this nation better off with the CTBT? Will Senate ratification of CTBT lead to a safer world for our children?

In my view Mr. President, the answer to each of these questions is an unequivocal, unqualified yes for one simple, straightforward reason: a world with fewer countries possessing nuclear weapons is a safer, more secure world for our national security interests, our nation and our children. Senate ratification of CTBT will help us achieve just such a world.

Opponents of the treaty raise two issues: can we verify that other nations are complying with the treaty and would U.S. compliance with the treaty permit this nation to maintain a safe and reliable nuclear deterrent? On the first issue, opponents assert that it is impossible to verify a prohibition of all nuclear tests. Mr. President, let me state now that they are absolutely correct on that point. The intelligence community has confirmed that neither the United States nor the International Monitoring System that would be established under CTBT would ensure the detection of every single nuclear explosion, regardless of size and location.

However, this feature is not unique to CTBT. No arms control treaty is 100 percent verifiable. In just the last two decades, the Senate has ratified numerous treaties knowing full well at the time that it would be possible for a country to successfully skirt one provision or another for some period of time or another. The standard for the Senate on previous treaties and the standard we should apply to this treaty is ''effective'' verification. In the case of CTBT, effective verification means we will be able to detect, with a high degree of confidence, any tests that could undermine our nuclear deterrent. After examining the information and analysis provided by our intelligence community, our senior military leaders have testified that we can effectively verify this treaty.

Furthermore, with or without CTBT, we need to monitor the nuclear testing activities of other countries and will face the exact same problems people are assigning exclusively to CTBT —with one major difference. In a world of CTBT, the United States would have additional tools at its disposal to determine what has happened. The treaty would permit us to have access to data collected at any of the 321 monitoring sites established as part of the CTBT's International Monitoring System. Under the treaty, we will also be able to conduct on-site inspections of facilities when we suspect questionable activity has occurred. These are resources available to us only if we ratify CTBT.

As for the safety and reliability of our existing nuclear weapons, I am convinced that the science-based stockpile stewardship program will permit us to preserve our nuclear deterrent without testing. I acknowledge up front that this program, for which we are spending $4.5 billion annually, is still evolving and it will be a few more years before we will know for certain its effectiveness. However, critics must also acknowledge three other facts. First, our nuclear weapons are safe and reliable today and are likely to remain so for another decade—with or without a stockpile program. Second, although not fully up and running, the stockpile stewardship program has already demonstrated its viability. Although we stopped testing nuclear weapons seven years ago, for the past four years the Department of Energy has been able to certify that our nuclear stockpile is safe and reliable. In order to make this certification, the Department has relied in part on data generated by the early phases of the stockpile stewardship program. Third, the President submitted, and I strongly support, a condition to the treaty that would permit the United States to withdraw from the treaty and resume nuclear testing if we have anything other than the highest confidence in the safety and reliability of our nuclear weapons.

Having said all of this, I would like to raise another important issue today. Regardless of where members stand on the merits of the CTBT, I think there are two things every member of this body should agree upon. The process of treaty ratification is one of the most important responsibilities our founding fathers vested in the United States Senate. In the course of this nation's history, the Senate has never taken this responsibility lightly. It would be a mistake to do so now. Second, it is hard to imagine a treaty with more significant ramifications for our national security for decades to come than the treaty before the Senate today. In the few brief days that this issue has been before us, I have heard senior Senators, members who have cast thousands of votes, state that their vote on CTBT could well be one of the most consequential of their Senate careers. I agree with that assessment.

Unfortunately, we are on the verge of ignoring these two truths. For some unknown reason, the CTBT has become a political football in a high stakes, highly partisan debate. It appears that some are seeking to score political points instead of carefully weighing this nation's national security interests and our role and responsibilities in the world. If politics should stop at the waters' edge, so too should it stop at the door to this chamber when we are deliberating treaties with such tremendous national and international ramifications.

Instead, after over 2 years of inaction, the Senate now finds itself locked in a sprint to a vote that is equally unfair to both the opponents and proponents of this treaty. No member of this body can truly believe he or she has all the information needed to render such a momentous decision. No

member can truly state that the Senate has lived up to the founding fathers' expectations of how this chamber should conduct itself when giving its advice and consent on treaties. No member can really assert with a clear conscience that this was a fair and thorough process for dealing with any issue, let alone one of this magnitude.

Proceeding before we have given full airing to the numerous and complex issues surrounding the CTBT is unfair to the Senate, unfair to our national security and unfair to the American people. Before we begin the calling of the roll asking where we stand on this treaty, we should all take a step back and give ourselves time to study these issues. For the good of our nation's security and Americans for generations to come, I ask members on both sides of the aisle to join me in this effort.

LEGISLATIVE SESSION

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRAION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—CONFERENCE REPORT

Mr. WARNER. I ask the Chair to report the pending business.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A conference report to accompany H.R. 1906, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes.

The Senate resumed consideration of the conference report.

CLOTURE MOTION

Mr. WARNER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 1906, the Agriculture appropriations bill.

Trent Lott, Thad Cochran, Tim Hutchinson, Conrad Burns, Christopher Bond, Ben Lighthorse Campbell, Robert F. Bennett, Craig Thomas, Pat Roberts, Paul Coverdell, Larry E. Craig, Michael B. Enzi, Mike Crapo, Frank Murkowski, Don Nickles, and Pete Domenici.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, with the exception of the distinguished Senator from West Virginia, who will take such time as he may require to deliver a very important address to the Senate.

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

KEEPING ALCOHOL OFF CAMPUS AND ON THE SHELF

Mr. BYRD. Mr. President, over the years, the culture of college has gradually changed from one of academics and concentrated study to one consumed with partying. Gathering at the library with classmates to prepare for an exam has taken a back seat to sitting around swilling beers at keg parties or ordering a round of shots at the closest bar.

Sadly, the process does not always begin in college. Often times, experimentation with alcohol begins in high school, or even earlier. Large numbers of young people are drinking. According to the 1998 Monitoring the Future Study conducted by the University of Michigan, approximately thirty-three percent of high school seniors, twenty-one percent of tenth graders, and eight percent of eighth graders reported being drunk at least once in a given month. Yes, Mr. President, drunk.

With such startling statistics at the pre-college level, it has become increasingly important for institutions of higher education to take an even more active role in informing and educating highly impressionable, yet extremely vulnerable, college freshmen about the many dangers of this practice. Last year, I added a provision to the Higher Education Act Amendments of 1998 to establish a National Recognition Awards program to identify a select number of colleges and universities with innovative and effective alcohol and drug prevention programs in place on campus. Under the program, each award recipient receives a grant ranging from $40,000 to $75,000 to assist in the continuation of its important efforts. I am pleased that I was able to obtain $850,000 in the Senate's Fiscal Year 2000 Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations bill to continue funding for this important initiative.

The U.S. Department of Education has recently named seven colleges and universities as recipients of this first-ever grant award. Mr. President, it is encouraging to know that institutions of higher education from all corners of the country are taking aim at the problem of alcohol abuse among our nation's youth through new and creative approaches.

The six recipients of this award include Bowling Green State University at Bowling Green, Ohio; Hobart and William Smith College at Geneva, New York; the University of Arizona at Tucson, Arizona; Pennsylvania State University at University Park, Pennsylvania; the University of Northern Colorado at Greeley, Colorado; the University of Missouri at Columbia, Missouri; and Utah State University at Logan, Utah. The Bowling Green State University Peer-Based Misperception program, for example, is designed to change attitudes, behaviors, and the campus social environment with an emphasis on first-year students, members of Greek fraternal organizations, and athletes. This program incorporates small group survey research to uncover and dispel misperceptions among peer groups such as a sorority, fraternity, athletic team, or members of a residence hall. Award funds will be used to continue the program, to implement it at other institutions, and to reduce the overall binge drinking rate.

Pennsylvania State University has been recognized for its alcohol-free ''HUB Late Night'' program, a model alternative activity program offering students multiple forms of free entertainment as a means of curbing high-risk drinking. The goals of the program involve delivering quality entertainment, providing a variety of alcohol-free programs for a diverse student body, encouraging student involvement in designing and implementing programs, and increasing awareness of the program. Approximately 71 percent of participants reported that participation in this program resulted in less drinking for themselves and for other students.

I am pleased that a higher education institution in my state, West Virginia University (WVU), has adopted an approach similar to that at Pennsylvania State University in addressing alcohol abuse among students. West Virginia University recently created the WVUp All Night program which each Thursday, Friday, and Saturday night offers students concerts, games, movies, free food, and study rooms as attractive alternatives to bars and nightclubs. According to WVU President David Hardesty, the program has been a great success from the start, attracting an average of 4,000 students each Thursday, Friday, and Saturday night.

While this grant program will certainly serve these seven schools well in providing them with the means to administer and expand their prevention programs, it is my true hope that this grant program will span far beyond dollars and cents. Soon, the Department of Education will be producing a publication highlighting these model programs, and will make this document available to high school counselors throughout the nation. When thinking about college, it is important for students and parents alike to be informed about good alcohol and drug prevention programs. This document

will serve as an important tool in helping students and their parents to make even wiser decisions about where to pursue their college education.

Moreover, the grant recipients of this year's award ought to serve as models to all higher education institutions throughout the country. Each August, many schools face the formidable challenge of determining how best to address the use and abuse of alcohol by underage students. With these model schools, new information will be available to schools still grappling with alcohol abuse problems. I encourage all Senators to pass along this information to institutions of higher education in their respective states.

Mr. President, this program will only begin to touch upon some of the fundamental areas which must be addressed in halting alcohol from rearing its evil head on other vulnerable college campuses. The work now lies ahead for all schools to endorse these noteworthy approaches and ideas which are working on select campuses throughout the United States. Let these seven schools be models for all institutions of higher education today and in the future. I congratulate the awardees of the program, and look forward to a strong, prosperous future for all college-going students, a future that is free from alcohol and other drugs.

Mr. President, I yield the floor.

THE WORK INCENTIVES IMPROVEMENT ACT OF 1999

Mr. JEFFORDS. Mr. President, right now, my home state of Vermont is celebrating Disability Employment Awareness Month. For that reason, I am delighted to speak about the ''Work Incentives Improvement Act of 1999,'' legislation that I developed with my colleagues, Senators KENNEDY, ROTH and MOYNIHAN. This Act, also known as the Work Incentives Improvement Act (WIIA), is the most important piece of legislation for individuals with disabilities since the Americans with Disabilities Act. This legislation is bipartisan. This legislation was brought to the floor of the United States Senate with 80 cosponsors. And, most importantly, this legislation passed through the Senate on June 15th with a unanimous vote of 99–0.

The ''Work Incentives Improvement Act'' addresses a fundamental flaw in current law. Today, individuals with disabilities are forced to make a choice, an absurd choice. They must choose between working and receiving health care. Under current law, if people with disabilities work and earn over $500 per month, they will lose their cash payments and health care coverage under Medicaid or Medicare. This is health care coverage that they need. This is health care coverage that they can not get in the private sector. This is not right.

Individuals with disabilities want to work. They have told me this. In fact, national surveys over the past 10 years have consistently confirmed that people with disabilities want to be part of the American workforce. But only one-third of them do work. With the enactment of WIIA, these individuals would not need to worry about losing their health care if they choose to work a forty-hour week, to put in overtime, or to pursue a career advancement. Individuals with disabilities are sitting at home right now, waiting for this legislation to become law. Having a job would provide them with a sense of self-worth. Having a job would allow them to contribute to our economy. Having a job would provide them with a living wage, which is not what one has through Social Security.

Currently, there are 7.5 million individuals with disabilities across the nation who receive health care coverage and cash payments from the federal government. 24,000 of these people live in Vermont. Only, one-half of one percent of the 7.5 million work to their full potential, because, when they earn over $500 per month, they lose their access to health care coverage. The first part of my legislation tackles this problem. In states that elect to take up this option, WIIA provides continuing access to health care for Social Security Income and Social Security Disability Insurance beneficiaries who work and exceed the income threshold.

Recognizing that some SSI and SSDI recipients will need job training and job placement assistance, the second part of my bill provides these incentives. People with disabilities would have more choices in where to obtain vocational rehabilitation and employment services. In addition, we would increase the incentives to public and participating private providers serving these individuals.

This legislation makes sense. When I came to Congress in 1975, one of my legislative priorities was to provide individuals with disabilities access to the American dream. Through the Individuals with Disabilities Education Act, the Rehabilitation Act, the Americans with Disabilities Act, and the Assistive Technology Act, we have consistently improved the lives of people with disabilities. Unfortunately, one major flaw remains, providing health care to individuals who want to work. The enactment of the Work Incentives Improvement Act would diminish this flaw in federal policy.

The Work Incentives Improvement Act reflects what individuals with disabilities say they need. Over 100 national organizations have given us their input and endorsed our bill. The President has made it clear that he would like to sign this legislation into law by the end of the current year. The Incentives Improvement Act provides the opportunity to bring responsible change to federal policy and to eliminate a misguided result of the current system—if you don't work, you get health care; if you do work, you don't get health care. The Work Incentives Improvement Act makes living the American dream a reality for millions of individuals with disabilities, who will no longer be forced to choose between the health care coverage they so strongly need and the economic independence they so dearly desire.

I am looking forward to having my colleagues in the House of Representatives finish their work on the Work Incentives Improvement Act. Let's send this bill to President Clinton by the end of this session of the 106th Congress.

CONFIRMATION OF COL. JOHN H. SINCLAIR TO BE UNITED STATES MARSHAL FOR DISTRICT OF VERMONT

Mr. LEAHY. Mr. President, I congratulate Col. John Sinclair on his Senate confirmation as the next United States Marshal for the District of Vermont.

As a 30-year veteran of the Vermont State Police, Col. Sinclair has served as a uniformed trooper at both the Colchester and Bethel Barracks, later joined the Fraud Unit and the Governor's security detail, and then was promoted to the post of Station Commander at the Brattleboro Barracks. He has also commanded both the Criminal Division and the Field Force. In 1996, he was appointed to his present position as director of the Vermont State Police, the department's highest-ranking uniformed post.

I have known Col. Sinclair for nearly 30 years, since the time when he was a new State trooper and I was Chittenden County's new State's attorney. We worked closely together on a number of investigations, trials, and law enforcement education programs. I have watched his career for the past three decades and consider him to be one of the finest police officers with whom I have ever worked. He is a police officer's police officer. He is a strong component of our law enforcement team in Vermont.

He has gained extensive experience with State, federal, and local law enforcement matters. It is fitting that his longstanding service to the people of Vermont culminate in this important law enforcement position. His practical experience, background and training qualify him to be Vermont's 34th United States Marshal.

Again, I congratulate Col. Sinclair and his wife, Barbara, who live in Charlotte, and their two sons, on receiving Senate confirmation as United States Marshal for the District of Vermont.

SESQUICENTENNIAL OF THE SALT LAKE COUNTY SHERIFF'S OFFICE

Mr. HATCH. Mr. President, this month the Salt Lake County Sheriff's Office is celebrating their sesquicentennial anniversary. The Sheriff's Office is a proud tradition of Utah, and I am grateful to them for keeping Salt Lake County a safe place to live and visit.

Pioneers first settled the Salt Lake Valley in 1847. In March 1849, they elected Brigham Young to be their Governor. Then, in October of the same year, John D. Parker was elected to serve as the first sheriff of what would become the state of Utah. Later, in 1852, after the federal government ratified the creation of the office of county sheriff, James B. Ferguson became John D. Parker's successor. Sheriff Ferguson was the first officially elected sheriff of Salt Lake County. This makes the Salt Lake County Sheriff's Office one of the oldest law enforcement agencies in the west. Today, the 1,254 employees of the Sheriff's Office continue that tradition.

Today, there are more than 835,000 citizens of Salt Lake County. These citizens are served by the Sheriff's Office through patrols, investigations, jails—which have held Ted Bundy, Mark Hoffman, and Charles Manson among others—court security, civil service, and specialized services, including K–9, air support, SWAT, and search and rescue units. The Sheriff's Office also coordinates local, state, and federal task forces.

Some of the more heroic deeds have received national recognition. Captain Lloyd Prescott is just one example of the kind of person we have working for the people of Utah. During a hostage situation at a Salt Lake County library, then Lieutenant Lloyd Prescott offered himself as an additional hostage to see if he could defuse the situation. After almost five hours, it was obvious that the suspect was becoming more agitated and that he would likely harm one of the hostages. Lieutenant Prescott then announced himself as a police officer and was forced to shoot the suspect. For this act of bravery and courage, Lieutenant Prescott was awarded the Presidential Commendation from President Clinton, the Governor's Commendation from Governor Leavitt, Officer of the Year from the International Association of the Chiefs of Police, Officer of the Year from the International Foot Printers Association, and Deputy Sheriff of the Year from the National Sheriff's Association. Captain Prescott continues to serve the citizens of Salt Lake County and the Sheriff's Office as the Division Commander for the Special Operations Division.

This is just one example of the many acts of courage, bravery, and simple acts of service performed daily by employees of the Salt Lake County Sheriff's Office. I want to extend a public thank you to all the employees and deputies of the Sheriff's Office for their hard work, service, and dedication to upholding justice and the rule of law. I offer my hearty congratulations to them on this landmark anniversary.

MEDICARE BENEFICIARIES ACCESS TO CARE ACT OF 1999

Mr. FEINGOLD. Mr. President, I rise today to express my strong support for S. 1678, the Medicare Beneficiaries Access to Care Act of 1999, a bill to ensure that Medicare beneficiaries across our nation continue to have access to the health care services that they need. The package that has been introduced addresses some of the most troubling areas in implementation of the Balanced Budget Act of 1997, and I commend the Senate Democratic Leader, Senator DASCHLE, for the hard work that he and his staff put into the creation of this bill.

I joined my Senate colleagues to vote in favor of the Balanced Budget Act of 1997, with the expectation that we would save $100 billion that would help preserve the solvency of the Medicare program. Yet the magnitude of cuts in BBA of 1997 have been much deeper than anyone intended. Present projections indicate that actual reductions have been in the area of $200 billion, twice as much as originally anticipated.

The unintended consequences of the Balanced Budget Act of 1997 have been severe indeed. And while there is a lot of publicity about the impact of BBA 1997 cuts on entities like hospitals, nursing homes and home health agencies, the real issue here is that the cuts are threatening the ability of our constituents—patients who rely on these entities to provide care, rehabilitation, and life-saving services—to gain access to the care they need.

Take for example the impact of the BBA 1997 Interim Payment System for home health agencies in Medicare. IPS was designed as a way to counteract fraud, waste and abuse within the Medicare program. Unfortunately, the way in which IPS was implemented created a counterintuitive and unfair system that penalizes low-cost areas for their thrift by basing reimbursement on past spending. More than 40 home health agencies in 22 counties have closed in Wisconsin since the implementation of Medicare home health IPS. IPS has ratcheted Medicare home health payments so low that Wisconsin home health agencies are losing hundreds of dollars per patient per day treating Medicare patients. Agencies in Wisconsin are not closing just because the business isn't profitable, they are closing to reduce the devastating rate of loss.

BBA 1997 cuts have also been devastating for our nursing homes and patients' ability to gain access to outpatient therapy services. Reimbursements to some nursing homes in Wisconsin has been so low that one nursing home administrator in La Crosse, Wisconsin, informed me that his agency, one of the few Medicare-certified ventilator-dependent programs in the region, was losing between $150 and $300 per patient per day treating patients who depend on ventilators to breathe. That agency had no choice but to stop new admissions of ventilator-dependent patients. Similarly, residents of nursing homes who require physical therapy, occupational therapy or speech pathology services are faced with an arbitrary $1500 cap on their services, an amount that is grossly inadequate to provide the necessary rehabilitation to patients recovering from a stroke, an amputation or other life-altering event. These arbitrary caps on the provision of rehabilitative therapy, have the effect—though inadvertently—of placing a cap on the extent to which these patients can regain their independence.

One final area that I would like to raise is the expected impact on hospitals of BBA 1997 changes such as cuts to Graduate Medical Education payments and the impact of a Prospective Payment System on hospital outpatient departments. Preliminary estimates from my constituents at the Wisconsin Health and Hospital Association, WHA, indicate that Wisconsin's 28 teaching hospitals will lose almost $25 million per year from GME cuts. In addition, WHA projects that Wisconsin hospitals will lose $30 million over the next three years if PPS is implemented—a loss of such magnitude that several rural hospitals in Wisconsin would likely be forced to close.

S. 1678 speaks directly to these concerns by increasing payments to Medicare Dependent Hospitals and Critical Access Hospitals, of which my home state of Wisconsin has 44. S. 1678 also includes stop-loss protection to ensure that hospitals do not suffer dramatic losses under the Outpatient Prospective Payment System. Lastly, S. 1678 freezes Indirect Medical Education cuts at 6.5% over 8 years and increases the number of residency slots available in rural areas.

The provisions of S. 1678 are important to ensuring continued access to care, and I hope my colleagues will join me in supporting this legislation.

INTRODUCTION OF S. 1714

Mr. WARNER. Mr. President, I ask unanimous consent that the Senator from Virginia may proceed for not to exceed 4 minutes.

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

Mr. WARNER. I thank the Chair.

(The remarks of Mr. WARNER pertaining to the introduction of S. 1714

are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUED PRODUCTION OF THE NAVAL PETROLEUM RESERVES BEYOND APRIL 5, 2000—MESSAGE FROM THE PRESIDENT—PM 62

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services.

To the Congress of the United States:

In accordance with section 201(3) of the Naval Petroleum Reserves Production Act of 1976 (10 U.S.C. 7422)(c)(2), I am informing you of my decision to extend the period of production of the naval petroleum reserves for a period of 3 years from April 5, 2000, the expiration date of the currently authorized period of production.

Attached is a copy of the report investigating the necessity of continued production of the reserves as required by 10 U.S.C. 7422(c)(2)(B). In light of the findings contained in that report, I certify that continued production from the naval petroleum reserves is in the national interest.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 8, 1999*.

MEASURE REFERRED

The following bill, previously received from the House of Representatives for the concurrence or the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 1907. An act to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, reduce patent litigation, and for other purposes; to the Committee on the Judiciary.

MEASURE PLACED ON THE CALENDAR

The following measure was discharged from the Committee on Rules and Administration and ordered placed on the calendar:

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 1232. A bill to provide for the correction of retirement coverage errors under chapters 83 and 84 of title 5, United States Code (Rept. No. 106–178).

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, with an amendment in the nature of a substitute:

S. 935. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to authorize research to promote the conversion of biomass into biobased industrial products, and for other purposes (Rept. No. 106–179).

By Mr. GRAMM, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1712. An original bill to provide authority to control exports, and for other purposes (Rept. No. 106–180).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HARKIN (for himself and Mr. GRAMS):

S. 1710. A bill to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN (for himself and Mr. BURNS):

S. 1711. A bill to amend the Internal Revenue Code of 1986 to provide for a deferral of tax on gain from the sale of telecommunications businesses in specific circumstances or a tax credit and other incentives to promote diversity of ownership in telecommunications businesses; to the Committee of Finance.

By Mr. GRAMM:

S. 1712. An original bill to provide authority to control exports, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

Mr. ABRAHAM (for himself and Mr. KENNEDY):

S. 1713. A bill to amend the Immigration and Nationality Act to extend for an additional 2 years the period for admission of an alien as a nonimmigrant under section 101(a)(15)(S) of such Act, and to authorize appropriations for the refugee assistance program under chapter 2 of title IV of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. WARNER:

S. 1714. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free distributions from qualified retirement plans of individuals residing in presidentially declared disaster areas; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1715. A bill to provide for an interim census of Americans residing aboard, and to require that such individuals be included in the 2010 decennial census; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAMS:

S. Res. 200. A resolution designating the week of February 14-20 as ''National Biotechnology Week.''; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself and Mr. GRAMS):

S. 1710. A bill to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson; to the Committee on Banking, Housing, and Urban Affairs.

LEIF ERICSON MILLENNIUM COMMEMORATIVE COIN ACT

Mr. HARKIN. Mr. President, I am pleased to introduce the Leif Ericson Millennium Commemorative Coin Act along with my colleague Senator ROD GRAMS from Minnesota. This bipartisan legislation would authorize the U.S. Mint to issue a coin jointly with the Icelandic National Bank in commemoration of Leif Ericson and his voyage and exploration of North America. The famous Viking explorer is regarded as the first European to set foot on North American soil in the year 1000 AD. Next year marks the 1000th anniversary of Leif Ericson's Voyage of Discovery and this coin will commemorate this landmark event in North American history. This same legislation passed the House on July 19, 1999, and passed both the House and the Senate as amendments during the 105th Congress.

The Government of Iceland is an important North Atlantic Treaty Organization (NATO) ally and this action would reiterate our strong relationship with and support for their nation. Iceland votes with the United States on virtually all United Nations and NATO issues and has formulated foreign policies parallel to ours. They also are cutting costs at our military base in Keflavi. Iceland has refrained from whaling, encouraged more U.S. trade and investment and initiated a partnership with the State of Alaska. The Government of Iceland has already approved a silver 1000 Kronor Icelandic coin to be produced by the U.S. Mint that will be packaged and issued simultaneously with the U.S. Leif Ericson

Commemorative Coin. We believe jointly issuing these coins will help further relations between our nations.

Mr. President, the United States Congress strengthened United States-Icelandic relations by presenting a Leif Ericson statue as a gift to Iceland in 1930 as a gesture of memorializing Ericson's Voyage of Discovery. In 1964, President Lyndon B. Johnson made October 9 ''Leif Ericson Day'' in commemoration of this famous Norwegian Viking explorer. The Leif Ericson Commemorative Coin in the year 2000 would commemorate the millennial anniversary of Ericson's voyage and would display our commitment to continuing this relationship for the coming millennium.

Mr. President, the Leif Ericson Millennium Commemorative Coin Act allows a simultaneous issuance of a commemorative U.S. silver dollar coin and a silver 1000 Kroner Icelandic coin. Both coins are to be produced in limited mintages, with U.S. Mint issuing a boxed set. Mint and surcharge proceeds from the coins will fund scholarships and student exchange programs between Iceland and United States. The U.S. Mint has read and approved the identical House version as meeting all the guidelines contained in the 1995 Congressional House Banking Committee Commemorative Coins Reforms Act, which protects the taxpayer from any costs. We feel such a coin is an important step in recognizing the important role Iceland has played in North American history. In the coming days, I will be talking to my colleagues in joining me in supporting this legislation. Mr. President, I ask for unanimous consent for a copy of this bill to be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1710

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Leif Ericson Millennium Commemorative Coin Act''.

SEC. 2. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—In conjunction with the simultaneous minting and issuance of commemorative coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson, the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 500,000 $1 coins, which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 3. SOURCES OF BULLION.

The Secretary may obtain silver for minting coins under this Act from any available source, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the millennium of the discovery of the New World by Leif Ericson.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2000''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Leifur Eiríkson Foundation and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 2000.

(d) TERMINATION OF MINTING AUTHORITY.—No coins may be minted under this Act after December 31, 2000.

SEC. 6. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—All surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Leifur Eiríkson Foundation for the purpose of funding student exchanges between students of the United States and students of Iceland.

(c) AUDITS.—The Leifur Eiríkson Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received by the Foundation under subsection (b).

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

By Mr. MCCAIN (for himself and Mr. BURNS):

S. 1711. A bill to amend the Internal Revenue Code of 1986 to provide for a deferral of tax on gain from the sale of telecommunications businesses in specific circumstances or a tax credit and other incentives to promote diversity of ownership in telecommunications businesses; to the Committee on Finance.

THE TELECOMMUNICATIONS OWNERSHIP DIVERSITY ACT OF 1999

Mr. MCCAIN. Mr. President, I rise today to introduce legislation that will make sure that new entrants and small businesses will have the chance to enter and grow in today's megacorporation-dominated telecommunications marketplace. Together with my good friend and colleague, Communications Subcommittee Chairman CONRAD BURNS, I am pleased to bring forward for the Senate's consideration The Telecommunications Ownership Diversity Act of 1999.

Yesterday's Washington Post had it exactly right in reporting that, ''the telecommunications world is being remade by technology, deregulation, and a relentless momentum toward greater and greater size.'' In the past week alone MCI/WorldComm and Sprint announced what could be the largest merger on record, the FCC approved a merger that will create the country's largest local telephone company, and it has pending before it many other major mergers, including those that would unite CBS with Viacom and Bell Atlantic with GTE.

Although this industry restructuring is unprecedented, it is not unexpected. Digital technology enables formerly-separate voice, video and data services to be offered in combination with each other. This ''convergence'' makes it possible for many more telecommunications companies to compete with each other. And so some telecommunications businesses sell parts of their companies in an effort to focus on specific markets, while others acquire new companies to expand into new markets.

This has opened the door for large companies to improve their business prospects. But what about new entrants and small businesses? Unfortunately, for them the story has been quite different.

Mr. President, no one needs to be told that any small business faces significant barriers in trying to enter the telecommunications industry. These barriers are even more formidable when the entrepreneur happens to be a woman or a member of a minority group, due to their historically more difficult job of obtaining needed financing. Therefore, in this current telecom industry mixer, small businesses, especially those owned by minorities or women, are often left without partners, watching as bigger, more established companies, get to dance.

That's not right, but there is an answer. The answer isn't to forbid mergers out-of-hand, or to retain hopelessly outdated FCC ownership restrictions, or to pursue constitutionally or economically doomed set-aside programs. The answer is to give established industry players economic incentives to

deal with new entrants and small businesses that counterbalance the incentives they have to deal with larger companies.

And that's what our bill does. The Telecommunications Ownership Diversity Act will promote entry into the telecommunications industry during this period of unprecedented restructuring by providing carefully-limited changes to the tax law. These changes to the tax law are an indispensable component of the solution. Under current law, smaller companies typically must purchase properties for cash, and cash transactions are fully taxable to the seller. So naturally sellers of telecommunications businesses prefer to sell for stock, which is tax-deferred, and which large companies have to offer.

The act will level the playing field for new entrants and small businesses by giving telecommunications business sellers a tax deferral when the property is bought for cash by a small business telecom company. The act will also encourage the entry of new players and the growth of existing small businesses by enabling the seller of a telecom business to claim the tax deferral or gain if it invests the proceeds of any sale of its business in purchasing an interest in an eligible small business.

In recognition of the convergence of telecommunications services and the growing importance of wireless and Internet-based services as an essential component of the telecommunications market, the telecommunications businesses eligible for this capital gains tax deferral are broadly defined to include not only broadcast and cable TV-type businesses, but also wireline and wireless telephone service providers and resellers, Internet service providers, information technology hardware and software companies, and video service providers.

The Secretary of the Treasury is directed to establish the eligibility criteria for small businesses and individuals to qualify, based on the characteristics of the different types of telecommunications businesses and on actual data from recent marketplace transactions. In setting these limits the Secretary is empowered to establish different qualifications for different classes of eligible purchasers, such as minorities and women, to the extent consistent with law. To eliminate the potential for abuse, the act would require the eligible purchaser to hold any property acquired for three years, during which time it could only be sold to an unrelated eligible purchaser. The General Accounting Office is required to thoroughly audit and report on the administration and effect of the act every two years.

Mr. President, I could say that, by utilizing tax deferral options in this way, we are sharing with smaller companies a portion of the investment benefits our tax laws give to major telecom companies. That would be accurate, but the real need for this act is much more fundamental and much simpler than that. Hallmark developments in the telecommunications industry have been made by gifted individuals with small companies and unlimited vision. In this sense the telecommunications industry is a true microcosm of the American free-market system, in which the benefits produced by its entrepreneurs generate benefits that extend to all of us. It is therefore critically important that new entrants and small businesses have a chance to participate across the broad spectrum of industries that will make up the telecommunications industry in the Information Age. The act will help them do that, and Senator BURNS and I are proud to sponsor it and to work for its enactment.

By Mr. ABRAHAM (for himself and Mr. KENNEDY):

S. 1713. A bill to amend the Immigration and Nationality Act to extend for an additional 2 years the period for admission of an alien as a nonimmigrant under section 101(a)(15)(S) of such Act, and to authorize appropriations for the refugee assistance program under chapter 2 of title IV of the Immigration and Nationality Act; to the Committee on the Judiciary.

S VISA AND REFUGEE ASSISTANCE AUTHORIZATION ACT

Mr. ABRAHAM. I rise to introduce a bill, the ''S Visa and Refugee Assistance Authorization Act,'' to extend the authorization for two provisions of the Immigration and Nationality Act. The bill is cosponsored by Senator KENNEDY and is supported by the administration and the House immigration subcommittee. The legislation simply would extend for an additional two years the authorization of ''S'' temporary visas, which are used to allow individuals to stay in the United States to assist in criminal investigations. A sense of the Congress on the need to use these visas in more alien smuggling cases is also included. The bill also would extend for three years the authorization of refugee assistance. Such assistance is provided to localities and community-based organizations to help refugees upon their arrival in the United States. My hope is that these noncontroversial provisions can be passed expeditiously. I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1713

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''S Visa and Refugee Assistance Authorization Act''.

SEC. 2. SENSE OF CONGRESS.

In light of the increasing problem of alien smuggling into the United States, it is the sense of the Congress that the Attorney General should use the provision of nonimmigrant status under section 101(a)(15)(S) of the Immigration and Nationality Act in a greater number of alien smuggling investigations per year than has been done in the past.

SEC. 3. EXTENSION OF AUTHORIZATION FOR ADMISSION OF "S" VISA NONIMMIGRANTS.

Section 214(k)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(k)(2)) is amended by striking ''5'' and inserting ''7''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR REFUGEE ASSISTANCE.

Section 414(a) of the Immigration and Nationality Act (8 U.S.C. 1524(a)) is amended by striking ''1998 and 1999'' and inserting ''2000 through 2002''.

By Mr. WARNER:

S. 1714. A bill to amend the Internal Revenue Code of 1986 to allow penalty free distribution from qualified retirement plans of individuals residing in presidentially declared disaster areas; to the Committee on Finance.

RETIREMENT PENALTY RELIEF FOR DISASTER VICTIMS

Mr. WARNER. Mr. President, I introduce a bill to amend the Internal Revenue Code of 1986 to allow penalty-free distributions from qualified retirement programs of individuals residing in Presidentially declared disaster areas.

I and so many of my colleagues have been visiting our States and working with our Governors and State legislators, city councilpersons and mayors particularly with regard to the devastation of floods we have seen as a consequence of the most recent hurricane.

I looked into the faces of these suffering people. And one of them—this was not my idea—one of them came to me with the simplest type of request. I thought it merited the attention of the Senate. I put it into this bill that I now introduce in the Senate.

Despite an individual's or family's best efforts to plan for the future, sometimes the unexpected strikes—hurricanes and natural disasters. When that happens, people need all the tools available to rebuild their lives, the lives of their families, and to become an integral part of those communities.

One community, Franklin, VA, which is in the central part of the State, in the old rural part of the State, dependent largely on agriculture, which has flat land—I say to my distinguished colleague, Senator HELMS, how badly his State was hit by the same storm—had 18 inches of rain in less than 2 hours. There is no large riverbed there or drainage ditches. And as a result, the water rose in this town up to the second level of the stores and the houses. It went into a railyard and toppled enormous freight cars, particularly tank cars with petroleum. And suddenly this whole community was awash in foul water of 8 to 10 to 12 feet some places in height. There was no

place for the water to run off, except gradually over this flat territory.

These people need to rebuild their lives and their homes. Families are faced with repairing and replacing damaged property and lost property. Many are forced to draw on savings, including their retirement accounts, to meet expenses. However, if they choose to tap upon their retirement plans or accounts, they are saddled with a 10-percent additional Federal tax for early distribution. That was put in the law for good reason—to deter people from going into these plans where they had some tax benefits. But let's stop to think: That may be the only recourse to financial salvation in the wake of an act of God Almighty.

They need help. Taxpayers coping with these disasters should not have to face the burden of a Federal tax penalty. This bill is very simple. It waives the 10 percent additional tax levied on early distributions from qualified retirement plans or retirement accounts for residents of federally declared disaster areas—that means the President of the United States has declared that county a disaster area—designated after July 31, 1999.

It is my intention that these distributions will be used for the repair or replacement of property destroyed or damaged by an unforeseen natural disaster or for emergency expenses arising from such a tragic event.

The taxpayer must be a resident of an area declared eligible. I point that out: a resident of an area eligible by the President for Federal disaster assistance, and the distribution must be taken within 1 year of the disaster declaration.

The current Tax Code waives the 10-percent penalty for distribution for certain medical expenses, health insurance premiums for the unemployed, higher education expenses, and the purchase of a first home. In my view, eliminating this additional tax for individuals and families suffering from the effects of unforeseen natural disasters makes plain common sense.

How grateful all of us are for our constituents coming to the great city of Washington, DC, and supplying us with ideas which probably are before us every day but somehow we overlook them.

Tropical Storm Dennis and Hurricane Floyd have had a devastating effect on my State. People in Southside and Tidewater, VA, are attempting to rebuild their lives and to recover some of what they lost. We should remove any disincentive, any roadblock that may hinder rebuilding and recovery.

By Mr. ROCKEFELLER:

S. 1715. A bill to provide for an interim census of Americans residing aboard, and to require that such individuals be included in the 2010 decennial census; to the Committee on Governmental Affairs.

CENSUS OF AMERICANS ABROAD ACT

Mr. ROCKEFELLER. Mr. President, millions of Americans live and work abroad. While living abroad, they continue to pay taxes and vote. They are Americans, and they want and deserve to be counted in the decennial Census. In order to achieve this important goal, we must plan and prepare.

The legislation introduced today directs the Secretary of Commerce to use existing authority to conduct a special census of Americans abroad in 2003 to determine how to include this population in the next decennial Census in 2010. While we wish that Americans abroad could be part of the 2000 Census, there unfortunately not the time or opportunity to do so. But it is vital that we act now to ensure that plans are in place for the future.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Census of Americans Abroad Act''.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds that—

(1) an estimated 3,000,000 to 6,000,000 Americans live and work overseas while continuing to vote and pay taxes in the United States;

(2) Americans residing abroad help increase exports of American goods because they traditionally buy American, sell American, and create business opportunities for American companies and workers, thereby strengthening the United States economy, creating jobs in the United States, and extending United States influence around the globe;

(3) Americans residing abroad play a key role in advancing this Nation's interests by serving as economic, political, and cultural ''ambassadors'' of the United States; and

(4) the major business, civic, and community organizations representing Americans and companies of the United States abroad support the counting of all Americans residing abroad by the Bureau of the Census, and are prepared to assist the Bureau of the Census in this task.

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

(1) the Bureau of the Census should undertake a census of all Americans residing abroad in a special census, and that the necessary funding should be appropriated for this purpose;

(2) the Bureau of the Census should, after completing that special census, review the means by which Americans residing abroad may be included in the 2010 decennial census; and

(3) the Bureau of the Census should take appropriate measures to provide for the inclusion of Americans residing abroad in the 2010 decennial census and decennial censuses thereafter.

SEC. 3. COUNTING OF AMERICANS RESIDING ABROAD.

(a) IN GENERAL.—The Secretary of Commerce shall—

(1) using any authorities available to the Secretary under section 182 or any other provision of title 13, United States Code, take a special census of all Americans residing abroad as of April 1, 2003 (in this Act referred to as the ''special census'');

(2) submit the final tabulations under the special census to the President and Congress within 9 months after the date specified in paragraph (1), broken down into all appropriate categories, including—

(A) Americans residing abroad affiliated with the Federal Government, and their dependents; and

(B) Americans residing abroad not affiliated with the Federal Government, and their dependents;

(3) not later than June 30, 2005, submit to the President and Congress a report containing any recommendations the Secretary may have with respect to the inclusion of Americans residing abroad in future decennial censuses, including—

(A) counting methodologies;

(B) the purposes for which any information could or should be used; and

(C) whether Americans residing abroad can be included in the 2010 decennial census for purposes of the apportionment of Representatives in Congress among the several States and, if so, how that should be done; and

(4) take appropriate measures—

(A) to provide for the inclusion of Americans residing abroad in the 2010 decennial census and decennial censuses thereafter; and

(B) to make use of the information obtained from such censuses for such purposes as, and to the maximum extent that, the Secretary considers feasible and appropriate.

(b) INTERIM REPORT ON SPECIAL CENSUS.—Not later than June 30, 2002, the Secretary of Commerce shall submit to the committees of Congress having legislative jurisdiction over the census a report which shall include—

(1) a summary of how the plans and preparations for carrying out the special census are proceeding;

(2) a brief description or outline of how the tabulations in the special census are to be carried out; and

(3) information identifying any experts, consultants, interest groups, or other persons outside the Bureau of the Census who were consulted in connection with the special census.

(c) CONFIDENTIALITY OF INFORMATION; PENALTIES.—The provisions of section 9 and chapter 7 of title 13, United States Code, shall apply with respect to the special census.

(d) LIMITED USE OF DATA.—The data obtained from the special census may not be used for any purpose not specifically provided for under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this Act.

ADDITIONAL COSPONSORS

S. 315

At the request of Mr. ASHCROFT, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 315, a bill to amend the Agricultural Trade Act of 1978 to require the President to report to Congress on any selective embargo on agricultural commodities, to provide a termination date

for the embargo, to provide greater assurances for contract sanctity, and for other purposes.

S. 758

At the request of Mr. ASHCROFT, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 758, a bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes.

S. 868

At the request of Mr. GRAHAM, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 868, a bill to make forestry insurance plans available to owners and operators of private forest land, to encourage the use of prescribed burning and fuel treatment methods on private forest land, and for other purposes.

S. 935

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 935, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to authorize research to promote the conversion of biomass into biobased industrial products, and for other purposes.

At the request of Mr. BURNS, his name was added as a cosponsor of S. 935, supra.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1187

At the request of Mr. DORGAN, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 1187, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes.

S. 1263

At the request of Mr. JEFFORDS, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1310

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1310, a bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1448

At the request of Mr. HUTCHINSON, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1448, a bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the program through 2005, and for other purposes.

S. 1485

At the request of Mr. NICKLES, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1485, a bill to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States.

S. 1491

At the request of Mr. GRAMS, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1491, a bill to authorize a comprehensive program of support for victims of torture abroad.

S. 1558

At the request of Mr. BAUCUS, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Nevada (Mr. BRYAN) were added as cosponsors of S. 1558, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for holders of Community Open Space bonds the proceeds of which are used for qualified environmental infrastructure projects, and for other purposes.

S. 1580

At the request of Mr. ROBERTS, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 1580, a bill to amend the Federal Crop Insurance Act to assist agricultural producers in managing risk, and for other purposes.

At the request of Mr. ROBERTS, the name of the Senator from Georgia (Mr. CLELAND) was withdrawn as a cosponsor of S. 1580, supra.

S. 1652

At the request of Mr. ROBERTS, his name was added as a cosponsor of S. 1652, a bill to designate the Old Executive Office Building located at 17th Street and Pennsylvania Avenue, NW, in Washington, District of Columbia, as the Dwight D. Eisenhower Executive Office Building.

S. 1673

At the request of Mr. DEWINE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1673, a bill to amend titles 10 and 18, United States Code, to protect unborn victims of violence.

SENATE RESOLUTION 190

At the request of Mr. CAMPBELL, the names of the Senator from Delaware (Mr. ROTH), the Senator from Nevada (Mr. BRYAN), and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of Senate Resolution 190, a resolution designating the week of October 10, 1999, through October 16, 1999, as National Cystic Fibrosis Awareness Week.

SENATE RESOLUTION 200—DESIGNATING THE WEEK OF FEBRUARY 14–20 AS ''NATIONAL BIOTECHNOLOGY WEEK''

Mr. GRAMS submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 200

Whereas biotechnology is increasingly important to the research and development of medical, agricultural, industrial, and environmental products;

Whereas biotechnology has been responsible for breakthroughs and achievements which have benefited people for centuries and, in the 20th century, has contributed to increasing the lifespan of Americans by 25 years through the development of vaccines, antibiotics, and other drugs;

Whereas biotechnology is central to research for cures to diseases such as cancer, diabetes, epilepsy, multiple sclerosis, heart and lung disease, Alzheimer's disease, Acquired Immune Deficiency Syndrome (AIDS), and innumerable other medical ailments;

Whereas biotechnology contributes to crop yields and farm productivity and enhances the quality, value, and suitability of crops for food and other uses which are critical to America's agricultural system;

Whereas biotechnology promises environmental benefits including protection of water quality, conservation of topsoil, improvement of waste management techniques, and reduction of chemical pesticide usage;

Whereas biotechnology contributes to the success of the United States in international commerce and trade;

Whereas biotechnology will be an important catalyst for creating jobs in the 21st century; and

Whereas it is important for all Americans to understand the role biotechnology contributes to their quality of life: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 14–20 of the year 2000 as ''National Biotechnology Week''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe this week with appropriate programs, ceremonies, and activities.

• Mr. GRAMS. Mr. President, I rise today to submit a resolution which would designate the week of February 14–20 as ''National Biotechnology Week.''

I'm submitting this resolution because I believe it is important for our nation to recognize the role biotechnology has played in enhancing, saving and extending our lives. Indeed, biotechnology has extended the average American's life by nearly 25 years.

Mr. President, the 20th century has shown the most significant advancements in all fields of biotechnology and there is reason to believe it will continue to deliver great hope and promise well into the 21st century. This industry is one of our fastest growing and will add thousands of new job opportunities to our economy. Just as the weeks of January and February, 2000 represent the start of a countdown to a new millennium beginning in 2001, they also represent the countdown to breakthroughs we all once thought were impossible.

Already, advances made in agricultural biotechnology have given us increased crop yields and promises of new uses for our agricultural commodities as well as the higher quality, more nutritious products to improve the competitiveness of our farmers. Great strides have been made through the use of biotechnology and health care and hold the keys to successfully treating or curing diseases such as cancer, diabetes and countless other conditions. Biotechnology has assisted us in improving water quality, conserving precious topsoil and reducing the need for pesticides which helps us improve our environment for future generations.

Mr. President, these are just a few examples of the impact biotechnology has had on our lives. I believe Americans should understand the importance of biotechnology in our way of life. With the passage of the resolution I introduce today, we provide a forum for many events in February to salute and promote this industry of the future.

I urge my colleagues to join me in recognizing this important industry.●

AMENDMENTS SUBMITTED

DISTRICT OF COLUMBIA COURT EMPLOYEES WHISTLEBLOWER PROTECTION ACT OF 1999

THOMPSON AMENDMENT NO. 2290

Mr. WARNER (for Mr. THOMPSON) proposed an amendment to the bill (H.R. 858) to amend title 11, District of Columbia Code, to extend coverage under the whistleblower protection provisions of the District of Columbia Comprehensive Merit Personnel Act of 1978 to personnel of the courts of the District of Columbia; as follows:

On page 5, strike lines 5 through 12.

On page 5, line 13, strike ''(e)'' and insert ''(d)''.

On page 5, line 18, strike ''(f)''and insert ''(e)''.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that on Wednesday, October 13, 1999, the Committee on Energy and Natural Resources and the Committee on Governmental Affairs will hold a joint oversight hearing on the Department of Energy's implementation of provisions of the Department of Defense Authorization Act which create the National Nuclear Security Administration. The hearing will begin at 10 a.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

ADDITIONAL STATEMENTS

TRIBUTE TO SGT. JOHN M. FEILER

● Mr. CRAIG. Mr. President, I rise to pay tribute to an Idaho native and his contributions to this nation. Early next week Sgt. John Feiler will be recognized here in Washington D.C. as Fort Hood's Noncommissioned Officer and Soldier of the third quarter of 1999.

Let me to tell you a little about this wonderful Idahoan. John Feiler, a native of Burley, Idaho enlisted in the Army shortly after graduating from Burley High School. He began his training as a Combat Engineer in Fort Leonard Wood, Missouri. He was then assigned to the Engineer Battalion at Camp Eschborn in Germany. While in Germany he was an active participant in Operations Desert Shield, Desert Storm, and Provide Comfort in Southwest Asia, for which he earned several awards and decorations.

After the Persian Gulf War, John was reassigned to Fort Stewart, Georgia. While there, he was promoted to the rank of sergeant, and a short time later he attended the Staff Sergeant Selection Board. During his assignment in Fort Stewart, he was selected as the Commandant's Inspection Awardee, made the Commandant's list, was nominated as the 24th ID Engineer Brigade NCO of the Year for two consecutive years ('93 & '94), and nominated to represent the 24th ID as their NCO of the Year for the XVIII Airborne Corps NCO of the Year competition.

In August of 1994 Sgt. Feiler pursued and completed the Army Recruiters Course. He served three years as a recruiter and was awarded the Gold Recruiter Badge as a permanent award.

In December of 1997 he arrived in Fort Hood, Texas and was assigned to his current unit, A Company 299th Engineer Battalion. During the eighteen months that he has served in the battalion, he has been awarded the Army Commendation Medal, two Army Achievement medals, and was chosen as one of the ''Heroes of Battle'' during the battalion's 99–05 NTC rotation. He is currently serving as a squad leader there.

His awards include the following: the Army Commendation Medal with four oak leaf clusters, the Army Achievement Medal with nine oak leaf clusters, the Army Good Conduct Medal (third award), the National Defense Service Medal, the Southwest Asia Service Medal (Saudi Arabia), and the Liberation of Kuwait Medal (Kuwait).

Idaho and the nation are proud of the way in which Sgt. John Feiler has served our country. I am pleased to draw the Senate's attention to the outstanding contributions he has made and hope all my colleagues will join me in honoring him.●

C.B. KING UNITED STATES COURTHOUSE

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of Calendar No. 291, S. 1567.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1567) to designate the United States courthouse located at 223 Broad Street in Albany, Georgia, as the ''C.B. King United States Courthouse.''

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1567) was read the third time and passed, as follows:

S. 1567

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse located at 223 Broad Street in Albany, Georgia, shall be known and designated as the ''C.B. King United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''C.B. King United States Courthouse''.

SANDRA DAY O'CONNOR UNITED STATES COURTHOUSE

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 292, S. 1595.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1595) to designate the United States courthouse at 401 West Washington Street in Phoenix, Arizona, as the ''Sandra Day O'Connor United States Courthouse''.

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1595) was read the third time and passed, as follows:

S. 1595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF SANDRA DAY O'CONNOR UNITED STATES COURTHOUSE.

The United States courthouse at 401 West Washington Street in Phoenix, Arizona, shall be known and designated as the ''Sandra Day O'Connor United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Sandra Day O'Connor United States Courthouse''.

JOSE V. TOLEDO FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 294, H.R. 560.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 560) to designate the Federal building and United States courthouse located at the intersection of Comercio and San Justo Streets, in San Juan, Puerto Rico, as the ''Jose V. Toledo Federal Building and United States Courthouse.''

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 560) was read the third time and passed.

DISTRICT OF COLUMBIA COURT EMPLOYEES WHISTLEBLOWER PROTECTION ACT OF 1999

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 295, H.R. 858.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 858) to amend title 11, District of Columbia Code, to extend coverage under the whistleblower protection provisions of the District of Columbia Comprehensive Merit Personnel Act of 1978 to personnel of the courts of the District of Columbia.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Government Affairs, with an amendment, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted in shown in italic.)

H.R. 858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.

[This Act may be cited as the ''District of Columbia Court Employees Whistleblower Protection Act of 1999''.

[SEC. 2. WHISTLEBLOWER PROTECTION FOR PERSONNEL OF THE COURTS OF THE DISTRICT OF COLUMBIA.

[(a) IN GENERAL.—Subchapter II of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following new section:

[''§ 11–1733. Whistleblower protection for court personnel

[''Notwithstanding any other provision of law, section 1503 of the District of Columbia Comprehensive Merit Personnel Act of 1978 (DC Code, sec. 1–616.3) shall apply to court personnel, except that court personnel may institute a civil action pursuant to subsection (c) of such section in the Superior Court of the District of Columbia or the United States District Court for the District of Columbia.''.

[(b) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following new item:

[''11–1733. Whistleblower protection for court personnel.''.**]**

SECTION 1. SHORT TITLE.

This Act may be cited as the ''District of Columbia Court Employees Act of 1999''.

SEC. 2. COMMUNICATIONS WITH CONGRESS BY DISTRICT OF COLUMBIA COURTS PERSONNEL.

(a) IN GENERAL.—Subchapter II of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following new section:

''§ 11–1733. Court personnel communications with Congress

''(a) In this section, the term—

''(1) 'Congress' means the United States Congress and includes any member, employee, or agent of Congress; and

''(2) 'District of Columbia court' means the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.

''(b) Nonjudicial employees of the District of Columbia court shall be treated as employees of the Federal Government solely for purposes of section 7211 of title 5, United States Code (relating to employees' right to petition Congress).

''(c)(1) An employee or former employee may file a civil action in the United States District Court for the District of Columbia for relief of a violation of subsection (b), if—

''(A) the employee or former employee reasonably believes that such a violation occurred;

''(B) the employee or former employee files a grievance relating to such violation with the Joint Committee on Judicial Administration of the District of Columbia not later than 270 days after the violation occurred;

''(C) the Joint Committee—

''(i) makes a final decision; or

''(ii) makes no decision within 60 days after the filing of the grievance; and

''(D) the employee or former employee files such civil action not later than 1 year after the date of the violation.

''(2) Relief in an action filed under paragraph (1) may include—

''(A) an injunction to restrain continued violation of this section;

''(B) rescission of a retaliatory action;

''(C) the reinstatement of the employee or former employee to the same position held before the retaliatory action, or to an equivalent position;

''(D) the reinstatement of the employee's or former employee's full fringe benefits and seniority rights;

''(E) compensation for lost wages and benefits; and

''(F) the payment by the District of Columbia court of the employee's or former employee's reasonable costs and attorney fees, if the employee or former employee is the prevailing party.

''(d) In any civil action filed under subsection (c), the District of Columbia court may file a motion for an award of reasonable attorney fees and court costs. The presiding judge may order such fees and costs to be awarded to the District of Columbia court, if the judge determines that an action brought by an employee or former employee under this section was not well grounded in fact and not warranted by law.

''(e) The filing of a civil action in accordance with this section shall constitute the employee's or former employee's exclusive remedy under the laws of the United States or the District of Columbia for violation of this section.

''(f) The District of Columbia court shall conspicuously display notices of an employee's protections and obligations under this section, and shall use other appropriate means to keep all employees informed of such protections and obligations.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following new item:

''11–1733. Court personnel communications with Congress.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect as if included in the enactment of title XI of the Balanced Budget Act of 1997.

Amend the title so as to read: ''An Act to amend chapter 17 of title 11, District of Columbia Code, to provide for personnel protection for District of Columbia court employees.''.

AMENDMENT NO. 2290

(Purpose: To make certain technical and conforming amendments, and for other purposes)

Mr. WARNER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. THOMPSON, proposes an amendment numbered 2290.

The amendment is as follows:

On page 5, strike lines 5 through 12.

On page 5, line 13, strike ''(e)'' and insert ''(d)''.

On page 5, line 18, strike ''(f)'' and insert ''(e)''.

Mr. WARNER. Mr. President, I ask unanimous consent that the amendment be agreed to, the committee amendment, as amended, be agreed to, the bill be read the third time and passed, the title amendment be agreed

to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 2290) was agreed to.

The committee amendment, as amended, was agreed to.

The bill, as amended, was read the third time, and passed.

The title was amended so as so read:

An Act to amend chapter 17 of title 11, District of Columbia Code, to provide for personnel protection for District of Columbia court employees.

MEASURE PLACED ON CALENDAR—S. 1593

Mr. WARNER. Mr. President, I ask unanimous consent that S. 1593 be discharged from the Rules Committee and placed on the calendar.

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

ORDERS FOR TUESDAY, OCTOBER 12, 1999

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. Tuesday, October 12. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume executive session to resume consideration of the Comprehensive Nuclear Test-Ban Treaty.

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

PROGRAM

Mr. WARNER. Mr. President, for the information of all Senators, the Senate will resume consideration of the Comprehensive Nuclear Test Ban Treaty at 9 a.m. on Tuesday, October 12. On Tuesday, there will be approximately 6 hours of debate remaining on the treaty. Therefore, that debate will consume the day until 4:30 p.m., at which time the Senate will resume consideration of the conference report to accompany the Agriculture appropriations bill. Cloture was filed on the conference report on Thursday with a vote scheduled to occur at 5:30 on Tuesday. It is expected that the vote on the CTBT will occur on Wednesday, at some point following the adoption of the Agriculture Appropriations conference report. Therefore, the next rollcall vote will occur at 5:30 p.m. on Tuesday, October 12.

Mr. President, in addition, as a reminder, the two amendments in order to the CTBT must be filed at the desk by 9:45 a.m. on Tuesday, October 12.

ORDER FOR ADJOURNMENT

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate turn to the remarks of the distinguished Senator from West Virginia and thereafter stand in adjournment under the order.

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

The PRESIDING OFFICER (Mr. MOYNIHAN). The Chair recognizes the distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair. I thank the distinguished Senator from Virginia, Mr. WARNER, for the great patriot, fine citizen, and extraordinary American that he is.

Mr. WARNER. Mr. President, I thank my colleague for those kind remarks. I return the same.

Mr. BYRD. I thank the Senator.

SENATOR PAT MOYNIHAN PRESIDING

Mr. BYRD. Mr. President, I call attention to something that I have not seen in the Senate, now, in over 5 years. It has been 5 years since I saw a Democrat in that chair. But who better than the distinguished senior Senator from New York, PAT MOYNIHAN, to grace that chair. This is truly a record day. We will be celebrating Columbus Day on next Tuesday, but I am ready to start now because there sits Senator MOYNIHAN—in the chair.

Let me comment just a little further on that. Imagine our good Republican friends allowing a Democrat to sit in the Presiding Officer's chair. They trust him. I think it was with great grace that JESSE HELMS, the senior Senator from North Carolina, the State in which I was born and the State whose motto is ''to be rather than to seem,'' that he chose PAT MOYNIHAN to preside over these last few minutes.

COLUMBUS DAY 1999

Mr. BYRD. Mr. President, many Americans are preparing to enjoy a three-day weekend. Most could tell you that their holiday was to honor Christopher Columbus, and a fair number might be able to recite ''in fourteen-hundred and ninety-two, Columbus sailed the ocean blue'' on his way to discovering America. An even smaller number might be able to recount the ongoing controversy over just where along the continent Columbus first came to land. But few, I hazard to guess, can truly appreciate the magnitude of his great daring, though we all appreciate the bounty of his great mistake. Few may even realize that it is next Tuesday, October 12, that is the true anniversary of Christopher Columbus' discovery of the New World, some 507 years ago.

Oh, Columbus, that scion of Eratosthenes, that son of Ptolemy, that kin in spirit to Marco Polo, what fascinating history he built upon when first he set out on his great journey. Although he was surely a brave man, Columbus did not sail blindly off to the west not knowing whether he would drop off the edge, as some children's books might lead one to believe. No, Columbus had the wisdom of the ancients to guide him and the lure of another adventurer's tales to entice him. He had history, mathematics, and science as his guides and greed as his goad to whip him along his journey.

Long before Columbus' day, Eratosthenes, the ancient Greek scholar commonly called the Father of Geography, had determined with amazing accuracy the circumference of the earth. Born around 276 B.C. at a Greek colony in Cyrene, Libya, Eratosthenes was educated at the academies in Athens and was appointed to run the Great Library at Alexandria, in what is now Egypt, in 240 B.C. During his time there, he wrote a comprehensive volume about the world, called ''Geography,'' the first known coining of that word. Eratosthenes used known distances and geometry on a grand scale to calculate the circumference of the earth to within 100 miles of its true girth at the equator, 24,901 miles. His work was still available in Columbus' time.

A later Greek geographer, Posidonius, felt that Eratosthenes' circumference was too large and recalculated the figure at 18,000 miles, some 7,000 miles too short. What is interesting about this fact is that Christopher Columbus deliberately used Posidonius's shorter figure to convince his backers that he could quickly reach Asia by sailing west from Europe. It may not have been the first time that financial backers have been duped using doctored numbers, but I am confident that it has not been the last!

So, we know that Columbus knew the earth was round—no fear of falling off the edge—and that it was between 18,000 or 25,000 miles around at its midpoint—still a very long journey in either case for ships the size that Columbus sailed on. But what led him to think sailing west from Europe to Asia was feasible? For that, Columbus would have looked to a Roman scholar, Claudius Ptolemaeus, more commonly known as Ptolemy. Like Eratosthenes before him, Ptolemy, who lived from approximately 90 to 170 A.D., worked in the Great Library at Alexandria, from 127 to 150 A.D. Perhaps inspired by Eratosthenes' work, Ptolemy also published a scholarly work called ''Geography,'' in addition to a volume on astronomy and geometry, and a work on

astrology. Ptolemy's ''Geography'' consisted of eight volumes, and it introduced critical elements of map-making to the world. Ptolemy advanced the efforts of mapmakers in representing the spherical world on flat paper, in what are known as map projections. He is responsible for the now universal practice of placing north at the top of the map. Ptolemy also invented latitude and longitude—that is, he created a grid system to lay over the globe in order to chart locations. His volumes charted some eight thousand places around the world he knew, revealing for future generations a geographic knowledge of the Roman empire of the second century.

Like many ancient works, Ptolemy's ''Geography'' was lost for over a thousand years after it was first published. But in the early fifteenth century, his work was rediscovered, translated into Latin, and published in multiple editions. It would have been readily available to Christopher Columbus, who was influenced both by Ptolemy's erroneous shorter circumference of the earth and by his depiction of the Indian Ocean as a large inland sea, bordered on the south by beguiling Terra Incognita, the unknown land. I think there can be few things more mysterious, more alluring, than an old map with large blank land masses labeled simply ''terra incognita'' or, on some medieval maps, by the phrase ''here be dragons.''

Marco Polo's fantastic tales of Cathay and the exotic spices and goods that he brought back to Italy sparked a huge appetite for such things, which only increased when the returning Crusaders opened the overland trade routes between Europe and the Orient. However, when Constantinople fell to the Turks in 1453, two years after Columbus was born, the overland spice routes between Europe and Asia were closed off. Every power in Europe was eager—eager—to reopen the very profitable trade, by land or by some unknown sea route. Seeking an eastern sea route, Bartholomeu Dias reached the Cape of Good Hope in Africa in 1488, and Vasco da Gama reached India in 1498, but the eastern voyages were long and perilous. Anyone who could find a shorter route would make a fortune for himself and his backers.

Columbus himself was born in Genoa in 1451 to Susanna Fontanarossa and Domenico Colombo, the eldest of their five children. Growing up in a major port city, Columbus would have learned a lot about the sea, in addition to hearing and reading the tales of riches beyond the horizon.

True to his adventurous inclinations, Christopher Columbus took to the sea. After an attack by the French at sea in the Strait of Gibraltar in 1476, the ship Columbus was sailing on was sunk, forcing him to swim to land. He was able to grab an oar and swim to land in Portugal. Three years later, he married into the Portuguese aristocracy when he wed Felipa Perestrelo. The marriage resulted in one son, Diego, and an entré into the financial backing of the Portuguese and Spanish nobility. In the simple history of Christopher Columbus that we may recall from elementary school, which was a long time ago for me, it was King Ferdinand and Queen Isabella of Spain who finally provided the ships, the fabled *Niña, Pinta,* and *Santa Maria,* in which Columbus set off on August 3, 1492, to discover the western shortcut to the fabled wealth of the Indies. At roughly 2 a.m. on October 12, 1492, after 71 grueling days at sea trusting in God, Eratosthenes, Ptolemy, and Polo, Columbus made landfall in what he believed was the Indies.

Columbus found no gold, silks, spices or valuable wood in his misnamed Indies, but he did bring tobacco back to Europe. After establishing a fort called Natividad, built of timbers from the wrecked *Santa Maria,* Columbus returned to Spain.

Columbus made three other journeys to his new-found land, which he named Hispaniola. His second voyage left Spain in September 1493 and returned to Spain in 1496 after establishing a more substantial colony. His third voyage led to his return to Spain in chains, prisoner of the colonists who rose up against his bad management. Columbus was able to clear his name and made a fourth and final voyage to the New World before he died in Spain on May 20, 1506. The great irony, however, is that Christopher Columbus believing that he had discovered some untouched part of the Indies, or distant outpost of China, not a continent previously unknown to the Europeans. He had made a mistake, but what a glorious mistake it was! For us, it was a very fortunate mistake. Christopher Columbus had discovered what for Europeans was truly Terra Incognita, a new and unknown land, a treasury of natural riches that we, as his heirs, enjoy to this day.

I am glad that we celebrate this brave man. We celebrate a man who made a great gamble, a man who set off to seek a back door to the Far East by setting his sights west and trusting in ancient scholars. We celebrate a man who appreciated the romance of a traveler's tales and who sensed the riches and wonders that await the bold. We celebrate an imperfect man, a man who failed in his goal but who achieved much nonetheless. We celebrate a man whose daring, whose courage, who sheer persistence, moved history forward.

We talk about profiles in courage. These are profiles in political courage. Here was an intrepid man who perhaps could claim the greatest—or one of the greatest—profiles ever written on the record of humankind. Imagine him out there on the deep waters. He had no wireless telegraph; he had no radio; he had no weather forecasters. All he had was the compass. There were no ships in the area to rescue him if his ship sank. There was no way to hear back from home or to speak to those back home if he became ill. There was no helicopter to take him to the nearby hospital or to a sister ship. There he was, alone on the great blue waters.

Just imagine what courage he must have had, never knowing whether he would be able to return against the winds that were blowing from the east, no refrigerator in which to keep the hard tack. His son, Ferdinand, who accompanied him on his fourth journey, I believe it was, wrote that he, Ferdinand, had seen the sailors wait until after dark before they ate the hard tack so it would not be possible to see the maggots on the hard tack. No sanitation with respect to the water and the food was cooked in an open stove with wood on the decks of the small ship.

What intrepidity. But how fortunate we are today that there was a man who was so intrepid as to face down the mutinous crew and who persisted in his faith to say an oath.

Today we look forward to that weekend and to next Tuesday, which is actually the day, 507 years later, when Columbus made the great discovery. We will celebrate the life and the accomplishments of Christopher Columbus, the first European to see the low green land on the horizon that was North America.

I would like to close with the words of Joaquin Miller:

Behind him lay the gray Azores,
Behind the gates of Hercules!
Before him not the ghost of shores,
Before him only shoreless seas.
The good mate said: ''Now must we pray,
For lo! The very stars are gone.
Brave Adm'rl, speak; what shall I say?''
''Why, say: 'Sail on! sail on! and on!' ''

''My men grow mutinous day by day;
My men grow ghastly wan and weak.''
The stout mate thought of home; a spray
Of salt wave washed his swarthy cheek.
''What shall I say, brave Admiral, say,
If we sight naught but seas at dawn?''
''Why you shall say at break of day,
Sail on! sail on! sail on! and on!' ''

They sailed and sailed, as winds might blow,
Until at last the blanched mate said:
''Why, now not even God would know
Should I and all my men fall dead.
These very winds forget their way.
For God from these dread seas is gone.
Now speak, brave Admiral; speak and say.''
He said: ''Sail on! sail on! and on!''

They sailed. They sailed. Then spake the mate:
''This mad sea shows his teeth tonight.
He curls his lip, he lies in wait,
With lifted teeth, as if to bite!
Brave Adm'rl, say but one good word:
What shall we do when hope is gone?''
The words leapt like a leaping sword:
''Sail on! sail on! sail on! and on!''

Then pale and worn, he kept his deck,
And peered through darkness. Ah, that night
Of all dark nights! And then a speck—

A light! a light! a light! a light!
It grew, a starlet flag unfurled.
It grew to be Time's burst of dawn.
He gained a world; he gave that world
It's grandest lesson: ''On! sail on!''

The PRESIDING OFFICER. The Chair wishes to express the gratitude of the Senate to the revered senior Senator from West Virginia for his eloquent and moving address on this easily overlooked occasion.

Mr. BYRD. I thank the chair.

ADJOURNMENT UNTIL TUESDAY, OCTOBER 12, 1999

The PRESIDING OFFICER. The Senate, under the previous order, will stand adjourned until 9 a.m., Tuesday, October 12, 1999.

Thereupon, the Senate, at 6:05 p.m, adjourned until Tuesday, October 12, 1999, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 8, 1999:

DEPARTMENT OF STATE

ALAN PHILLIP LARSON, OF IOWA, TO BE UNDER SECRETARY OF STATE (ECONOMIC, BUSINESS AND AGRICULTURAL AFFAIRS), VICE STUART E. EIZENSTAT.

CAROL MOSELEY-BRAUN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND.

OFFICE OF PERSONNEL MANAGEMENT

AMY L. COMSTOCK, OF MARYLAND, TO BE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS FOR A TERM OF FIVE YEARS, VICE STEPHEN D. POTTS.

HOUSE OF REPRESENTATIVES—*Friday, October 8, 1999*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PEASE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 8, 1999.

I hereby appoint the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Let us pray using the words of Psalm 92:

It is good to give thanks to the Lord,
To sing praises to Your name, O most high;
to declare Your steadfast love in the morning,
And Your faithfulness by night,
to the music of the lute and the harp,
to the melody of the lyre.
For you, O God, have made me
glad by Your work;
at the works of Your hands I sing for joy.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Guam (Mr. UNDERWOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. UNDERWOOD led the Pledge of Allegiance as follows:

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

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

U.S. NAVY AND MSC SEND AMERICAN SHIPYARDS JOBS OVERSEAS

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

Mr. UNDERWOOD. Mr. Speaker, for years in this Nation we have passed all kinds of laws and regulations to help protect American jobs and America's industrial base. Indeed, the U.S. military has long supported this assertion, and has been an integral part of maintaining a high level of readiness through the preservation and maintenance of a strong domestic industrial base. Along with this capacity comes the value and know-how of America's skilled work force.

In a day and age where the American skilled worker has sometimes become an endangered species, the Federal Government, in particular the Department of Defense, should try to preserve and defend these jobs. For 80 years these types of jobs were the backbone of the middle class in many communities throughout our country, including my home island of Guam.

Mr. Speaker, one would think that U.S. tax dollars would be spent here in this country to preserve this legacy. One would think that the Department of Defense would sooner spend these tax dollars here to preserve American jobs. But sadly, it seems that the U.S. military would rather spend these tax dollars in Japan or Korea or Singapore, to the loss of U.S. jobs.

Here is the outrageous truth, Mr. Speaker: The U.S. Navy and the Military Sealift Command annually send U.S. jobs overseas so they can save a few bucks. This is the truth. The MSC asks every year the Navy permission to have U.S.-flagged, U.S.-crewed, U.S.-owned and operated military ships to be repaired in foreign shipyards because it is cheaper.

We may ask ourselves, will lower costs to the Navy mean my tax dollars may go further? This is what the Navy and the MSC say. They tell me that they are cost-driven.

The fact is that foreign shipyards can always beat U.S. shipyards in terms of price for several reasons, primarily because foreign shipyards are subsidized by their central governments. Foreign shipyards do not have to pay their workers decent wages. Foreign shipyards do not have to comply with health and safe work environments.

We tried to solve this problem by an amendment that I introduced in the 104th Congress to title X which requires the Navy, including MSC, their vessels, to make sure that their ships are repaired in American shipyards. My amendment added Guam to that, because Guam is part of the United States.

But in recent years, the Navy has adopted a subterfuge in this. They have established an internal waiver policy that essentially defeats the congressional intent of title X, and the Navy has implemented a policy of not designating any home port for Military Sealift Commands, so they can undermine the intent of this law. This has resulted in the denial of Navy MSC work to Guam, Hawaiian, Alaskan, and Californian shipyards.

Mr. Speaker, this sham that the Navy and MSC purports will save money is a farce. It may save money, but at the cost of thousands of jobs. This will then increase reliance on unemployment insurance and welfare rolls, and further erode America's industrial capacity.

In summary, the Navy and MSC are doing two things. They are violating the congressional spirit and intent of the law to preserve jobs and save a few dollars. Two, they are handing U.S. shipyards jobs overseas.

I will be sending a Dear Colleague letter around to sign onto a letter to Secretary of Defense Bill Cohen to tell him that this practice is wrong, it is harmful to the national security of this Nation, and impedes readiness. I hope Members of this body will join me in this endeavor.

THE PROBLEMS WITH THE DINGELL-NORWOOD HEALTH CARE REFORM BILL

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

Mr. NETHERCUTT. Mr. Speaker, yesterday the House of Representatives voted on different versions of health care reform. I believe that every one of our colleagues who spoke on this issue and voted on this issue had the best interests of patients in mind as they cast their votes.

There were two issues that were discussed this week in connection with health care reform and patient care. First, we passed legislation this week to increase the access of patients to health care insurance coverage. That was a very important effort that was

undertaken by the House of Representatives.

Second and most recently, yesterday we considered changes in the law to deal with the problems that patients have had with their health maintenance organizations, a problem that was illustrated time and time again by Members who stood here on the floor of the House.

For me, I believe insurers should be held accountable for their actions if they cause actions that hurt a patient or inactions that hurt a patient that is covered by a plan. I happen to support the coalition substitute amendment introduced by the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. THOMAS), the gentleman from Oklahoma (Mr. COBURN) and the gentleman from Arizona (Mr. SHADEGG), among others.

This legislation provided the protection I felt patients needed, and encourages care rather than lawsuits. It contained an internal and external appeals process that requires a faster response than required by the bill which ultimately passed the House yesterday afternoon, as sponsored by the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Michigan (Mr. DINGELL).

The coalition bill, the bill that I supported, requires expedited appeals to be resolved in 48 hours, as opposed to the 72 hours that are set forth in the Norwood bill. I want my colleagues and others, Mr. Speaker, to understand that there were many similarities in the Norwood bill and the coalition bill, which I will call it.

Both guarantee patients the right to choose a doctor outside their network. Both guarantee women direct access to obstetrical-gynecological care. Both guarantee access to specialists. Both guarantee children direct access to pediatric care. Both guarantee coverage for emergency medical services without prior authorization, which is an important issue. Both guarantee coverage of a terminated provider for patients undergoing a course of treatment. Both prohibit so-called gag clauses. Both forbid insurers from offering providers incentives for denying coverage. Both provided a grievance process for beneficiaries to file complaints.

Both allow patients to appeal denial of benefits, but the coalition bill actually requires a faster response than mandated by the Norwood bill, the difference between the 48-hour expedited appeals process and the 72-hour process in the Norwood bill.

Both allow patients to sue their health maintenance organizations if they are hurt by them. The coalition bill allows patients to sue their HMOs in Federal court once they have exhausted the internal and external appeals process. The Norwood bill allows patients to bring lawsuits in State courts, which have 50 different States with 50 different sets of rules. To me, that was a cumbersome process, and very difficult for employers to try to deal in 50 different States with 50 different laws relative to liability.

The Norwood bill puts employers at risk for lawsuits. I know there was a great deal of debate on that issue, and interpretation of language and counter-interpretation of language. But the facts are that the Norwood bill puts employers at risk for lawsuits, greater risk, without having a more extensive, exhaustive process before we ever get to a lawsuit.

Employers offer health insurance benefits voluntarily. I fear that if the stability of their business is at risk due to a threat of a lawsuit, under the measure that was passed yesterday, employers would just say, no, we are not going to offer health insurance any longer.

Washington State, my State, is currently facing a crisis in its individual insurance market. Excessive regulations have driven insurers out of our State. Those who have remained are no longer taking new enrollees. That is a problem for people in my State who seek insurance coverage. Individuals can no longer buy insurance in most of our State, even if they have the money.

So excessive regulation, frivolous lawsuits, and risk to employers created by the Norwood bill will create the same problem in the group insurance market across the country. I think that would be an unintended consequence of our debate that occurred here yesterday and earlier this week.

The last thing we need, Mr. Speaker, is a government-run, massively complicated health care program. I fear we are heading toward that if the Norwood bill becomes law.

So my hope would be that those who are conferees on this issue and others who have an interest in this debate would work hard to get the facts out about the potential consequences or unintended consequences of an extensive, mandated legislation for health care that will drive people off the insurance rolls and then lead to, ultimately, the unintended consequence of a massive health care plan run by the Federal Government that was rejected so forcefully in 1993 and 1994.

□ 1015

NORTH CAROLINA IN AFTERMATH OF HURRICANE FLOYD

The SPEAKER pro tempore (Mr. PEASE). Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, the sunshine is shining in eastern North Carolina, the rivers have crested, and the water has receded. People are beginning to have a sense of hope. But at the same time, there is great devastation as a result of the floods of the century having occurred in eastern North Carolina.

More than 32 counties were affected by Hurricane Floyd. Out of the 32 counties, there was severe flooding in at least 20 or more of those counties. Fourteen of those counties happen to be in my district. At the last count, more than 54,000 persons had called FEMA's telephone on-line intake service indicating they needed service. At the peak of this hurricane, there were more than 46,000 individuals huddled in various makeshift shelters throughout the district. People were sleeping in cars, neighbors took other people in, and roads were in great devastation. The lives that were lost, the last count as of last Friday, there were 48 persons who were dead in North Carolina as a result of Hurricane Floyd. In fact, some 66 from the East Coast, including persons who died in Pennsylvania and New York as well as in Virginia.

This hurricane has brought great devastation and has taken the lives of a lot of people. Teshika Vines I have here is one of those casualties, but her story is the story of a neighbor helping neighbors. The story is that her grandfather had taken she and three other members of the family out on a boat to safety, saw their neighbors and took onto their boat four other persons. When the boat landed on the shore, it was missing six persons. The grandfather and Teshika, one person from the other family, and only one person from Teshika's family still lives. Actually towns became rivers. We have the scene of Tarboro here. East Tarboro was completely flooded. That was the area that the President visited, in that area. The waters have now receded, yet those businesses cannot function because they stayed underwater so long. Right next to East Tarboro is a town called Princeville. Princeville is a town that was founded by newly freed slaves in 1884, became incorporated in 1885, in fact was the first town of American free slaves to be incorporated. That whole town was flooded and stayed underwater at least 10 days. That whole town is lost. Forty percent of Edgecombe County was lost. Princeville is not the only community. There was Kinston. Much of that town was lost. It is a town of 35,000 people. Downtown, they had six hotels. Only two were not flooded. Many of the shopping centers in Rocky Mount were flooded. Water systems were closed down. Wastewater systems became nonfunctional and may not function for many years to come unless they are really improved.

Our infrastructure also was greatly damaged. This one is the road of 301 which was the main highway going north and south before we had Interstate 95. I–95 was flooded. I–95 is where

people go as they go to Disney World. You can imagine, they did not build I–95 inadequately. But I–95 was flooded from Emporia to Benson. This is 301, the road that used to be the main north and south thoroughfare. This big gaping hole also undergirded the Amtrak trains, the water system. We have a tremendous amount of devastation that happened to our roads, to our water system, our wastewater system, to the houses. It is reported more than 35,000 houses had some impact from actually the storm. Some 10,000 houses are reported to be uninhabitable, that they will be destroyed. They are nonfunctional to the extent they need to be destroyed. There was great, great devastation and a need for rebuilding and reconstruction.

This week, this floor, and I want to express appreciation to my colleagues, unanimously supported a resolution that said they empathized, sympathized with the people affected by Hurricane Floyd and they went on record as saying, further than just sympathy, they wanted to provide support. They will have that opportunity very, very soon. Hopefully there will be an emergency spending bill that will be adequate not only to respond to North Carolina's needs but the East Coast, from New York, Pennsylvania, New Jersey, Virginia, Florida, as well as North Carolina.

North Carolina alone has a need for $2.5 billion just for emergency. The agricultural needs in North Carolina are said to be $1.3 billion. We have erosion of land. We have lost more than 2.3 million chickens. More than 120,000 pigs were destroyed. Wildlife was destroyed. Horses were destroyed. There was a tremendous loss in terms of forestry, an untold amount of loss in terms of fisheries. As if that were not enough, the impact that was made on the environment and the water system, the fertilizers, the poisons, the pollutants that are in the water. So in addition to having structural loss and having loss of human life, we also have the potential of environmental loss that would be there for years to come. It is yet not known how much there would be.

I want to keep before my colleagues this urgent need of the citizens in eastern North Carolina for emergency relief certainly, and hopefully we will do the right thing for them. But beyond the emergency relief, there needs to be a commitment on the part of this Congress that we will rebuild and restore, we will put the kind of resources, bring some sort of normalcy and a sense of community as we do with our foreign investment, that here is an opportunity to respond to American people as we do, appropriately I think, in foreign countries. We need a plan that says not only do we sympathize and empathize, but we recognize that we have a commitment to restore their lives and their communities.

ON TRUCK SAFETY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Virginia (Mr. WOLF) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOLF. Mr. Speaker, today I stand up for the 5,374 families who lost loved ones in truck accidents last year and to note that the Congress could be about ready to walk away from them.

Last week, Mr. Speaker, this House voted overwhelmingly for the transportation appropriations conference report which included a provision requiring a change in the way the Federal Government conducts oversight of the trucking industry. For the record, the vast majority of truck drivers and trucking companies do their level best to operate safely and efficiently and they are an important part of our commerce. But it is those few on the margins, Mr. Speaker, who last year took the lives of 5,374 people and 5,398 the year before that, a decade high. That is like a major airplane crash taking place every 2 weeks with regard to the deaths in the trucking industry.

Section 338 of the bill, which the President is expected to sign soon, prohibits the Department of Transportation from funding the Office of Motor Carrier and Highway Safety, the OMC, within the Federal Highway Administration. The Federal Highway Administration does a good job at maintaining and building our Nation's infrastructure but they have fallen woefully behind in the area of truck safety. This means that Congress can pass legislation directing the DOT to move the Office of Motor Carrier and Highway Safety to a better place, or the administration can do it by executive order. Either way, Mr. Speaker, someone has got to do something and the language in the appropriations conference report requires action, action that has been lacking since myself and others have brought this issue to the attention of the Congress over the past year. The status quo where people are dying daily because of truck accidents is unacceptable.

Everyone in this Chamber and those who are watching on television, those who will later read the CONGRESSIONAL RECORD, have experienced the anxiety associated with being around large trucks on our Nation's highways. They are big, they are fast, they are heavy and they are dangerous. And when a truck is involved in an accident, regardless of who is at fault, it is likely someone is going to die or be seriously injured. Plain and simple, I think it is incumbent, therefore, to ensure that trucks are as safe as they can be. Under the current system, I do not think the Federal Government is doing a good enough job to make sure that is the case.

As I mentioned, last year 5,374 people died in truck-related accidents. The year before that, 5,398 people died, a decade high. Just think about those figures and let them sink in for a moment. The number of deaths associated with truck accidents is equal to a jetliner loaded with passengers crashing every other week. With an airplane crashing every other week, the Congress would be outraged. People would be calling their Congressmen on the telephones and the Congress would say, ''We're committed to do something about it.'' The Nation would be up in arms. Hearings would be held, accident investigations would be taking place, and grieving families would be on television to illustrate the sorrow of losing a loved one.

Why, then, does the issue of truck safety, where over 5,000 people a year have died, not command the same attention? Why is the Federal office responsible for the regulation of the trucking industry, which some say is larger than the aviation industry, buried in the Federal Highway Administration with only .06 of the budget? Could it be because of the lobbyists and others who have been hired by the trucking companies?

Last year, Mr. Speaker, the Department of Transportation appropriations conference report included a similar provision. But in the dead of the night and in the waning hours of the Congress, the trucking lobbyists prevailed. As a result of that, since that time in the middle of the night when this provision was taken out, thousands have died on the road.

The Department of Transportation Inspector General looked at this issue and found that not only were lobbyists hired working against this proposal, which would force greater scrutiny on truck safety, but several of the employees of the Office of Motor Carriers, which is responsible for regulating the trucking industry, were afraid of this provision and what would be found when we looked at truck oversight, and they, the employees of the Department of Transportation, conspired to defeat this measure. The Inspector General noted that employees of the Office of Motor Carriers who regulate the trucking industry had contacted those that they regulated soliciting their help in staving off additional scrutiny. A few employees, these are government employees, paid by the families of the people that have died, then drafted letters for the trucking industry to send to Members of Congress to defeat this proposal.

□ 1030

That is right, the regulators at the Office of Motor Carriers, these employees, paid for by the taxpayer, were meeting with the lobbyists for the trucking industry, drafting letters for them to send to Members of Congress to keep this provision from taking place, whereby thousands would continue to die.

As a result of these unfortunate circumstances, the Department of Transportation disciplined four people. They were disciplined. One left. A couple are still there, but they were disciplined.

Why did top employees of the Office of Motor Carriers, which regulates the industry, work to stymie the move? Because they knew that the state of the trucking industry was in such poor condition that it was they who would be called to account. How do we explain that deaths were up, inspections were down? At the same time that deaths were rising, the number of inspections was decreasing.

Three years ago, each safety inspector at the Office of Motor Carriers conducted five reviews per month of the companies. Two years ago each inspector did an average of 2.5 reviews per month. Last year, each inspector did only one per month. When inspections over the course of 2 years dropped from 5 inspections to one inspection per month, something must be wrong and sorely needs to be changed.

In fact, the Inspector General found one truck that left California going to Virginia, the State that I live in, made the trip in 48 hours, and when the guy pulled in, the driver, had several bottles of urine in the cab. He had not even stopped to go to the bathroom.

Mr. Speaker, I hope that the trucking lobbyists, every time they see an accident where someone dies, think in terms of how they made this happen, and those employees know because of this lack of inspections, that more people are dying.

The Office of Motor Carriers knows it. The IG conducted a survey of the Office of Motor Carriers employees asking them if they thought the Office of Motor Carriers should move, and where. Mr. Speaker, less than 20 percent of those employees surveyed were opposed to moving, only 20 percent. Of those people responsible for trucking oversight, only 20 percent wanted the status quo.

The employees of OMC deserve credit for the work they do. Most work very hard, and they are very dedicated. Unfortunately, there are some in the management who have not caught the vision. If the employees of the Office of Motor Carriers do not favor the status quo, why should the Congress?

In 3 short months, trucks from Mexico may be able to cross the border to the U.S. under NAFTA. The IG recently found that Mexico has no hours of service requirements, no log books requirements for truckers, no vehicle maintenance standards, no roadside inspections, and no safety rating systems. Can we be sure these trucks will not present a safety problem on our highways come January? All of these trucks will cross the border and be able to go throughout the entire United States.

Mr. Speaker, we cannot stop the drugs coming across the border on the trucks, and I will tell the Members, those trucks will be unsafe and many, many more people could die.

When the IG conducted a survey of the effects of NAFTA, he found today 3.5 million trucks are crossing the border from Mexico, only to designated commercial zones in the U.S. Of those 3.5 million trucks crossing the border, the Office of Motor Carriers only inspected 17,332. Of those inspected, 44 percent were in such poor condition that they were taken off the road immediately.

Some of these trucks are intended only to serve border traffic, but many others may be driving on all the highways in America, come January. If the Congress and others feel comfortable about this, allowing this situation to persist, so be it. But I in good conscience cannot. We can no longer sit idly by while thousands of Americans are dying every year on our roads and do nothing about it.

If others claim to be concerned about the provision contained in the Department of transportation appropriations conference report, I welcome the company. But do something about it. To this date, more than a year after this terrible problem was brought to America's attention, not one bill bringing relief to this situation has been brought before this House, let alone been signed into law, not one.

If Members do not like the provision contained in this year's Department of Transportation appropriations conference report, do something about it, but the status quo is unacceptable.

Let me just address for a minute some of the allegations regarding section 338 of the conference report. Some have suggested that this provision harms safety. It is nonsense and they know it. I have been urging improvements to truck safety for over a year now, and I have been out on several truck inspections where, when we go out, we see lug nuts sheared off, bald tires, brakes that are not working.

To really let the American people understand this, one out of every five trucks that we see on the highway today is so unsafe that if it would be inspected, it would be taken off the road.

The last truck inspection we went out to, we found bald tires. We found air brake systems rotted out and rusted out. There were so many violations, and they then go on and are involved in accidents that kill people.

Yesterday the Department of Transportation's general counsel testified that section 338 would prevent the DOT from conducting only two functions in truck safety, the assessment of civil penalties, and protection of migrant worker transportation, which the States have taken the lead on, anyhow. So that leaves DOT with one real shortcoming, which could have been very easily fixed in a minor technical correction bill, the ability to levy civil penalties.

DOT can still conduct border inspections, they can still place unsafe vehicles out of service, and they can still conduct an effective oversight program. To suggest otherwise is nothing more than an effort to scare this body in returning to the status quo.

Others have said, let us give the OMC time. They will make the necessary changes on their own. This Congress has given them time. If Members think times have changed, every Member should know that they are wrong. Earlier this week, the Office of Motor Carrier Management sent out an e-mail memo to all its employees suggesting that section 338 would prevent the organization from conducting further oversights.

Without judging whether the memo was intentionally false or not, it is clear the OMC still does not get it. The memo was 180 degrees inaccurate. Indeed, the Secretary had to order that a correcting memo be distributed.

When my staff called the Office of Motor Carriers to clarify the memo's inaccuracies, they were told that the Office of Motor Carrier staff would not take the call. When they asked to speak with the head of the office, which is standard procedure, they were informed that she was out of town. When they asked for who, therefore, was in charge, they were told it was one of those punished for their improper efforts last year. The person that was running the Office of Motor Carriers responsible for the memo to go out was one of the people cited by the Inspector General who was disciplined by the Department of Transportation.

When we drive on the highways today, on the Beltway, when we drive on I–81 in the Shenandoah Valley, when we drive on I–95, whether north and south of Washington, think of all those trucks, and think about how some employees who are now running the office which inspects these trucks have been so close to the trucking industry that it has been basically an incestuous relationship, and therefore, they are trying to undermine a provision which will bring about truck safety.

In closing, Mr. Speaker, next week the Congress may consider on the suspension calendar a bill to overturn section 338 of the conference report. I urge Members to vote against the bill. If the reorganization of the motor carrier office does not take place, more people will die. We will get into next year, and next year is an election year. The contributions will begin flowing from the trucking industry to the Congress, and they will make up reasons why we do not have time to deal with truck safety.

We will also be faced with the trucks from Mexico coming across the border. Some 80 thousand more trucks could enter the market next year than this

year. Many families will experience the pain and agony of getting that telephone call to say that a loved one has been involved in an accident with regard to trucks.

Mr. Speaker, the bottom line to this entire issue is safety.

So if a bill comes up, I urge Members to vote no.

CONFERENCE REPORT ON H.R. 2561

Mr. LEWIS of California submitted the following conference report and statement on the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2561) ''making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $22,006,361,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $17,258,823,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $6,555,403,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $17,861,803,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,289,996,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,473,388,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $412,650,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $892,594,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,610,479,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,533,196,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $10,624,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $19,256,152,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That of the funds made available under this heading, $5,000,000, to remain available until expended, shall be transferred to ''National Park Service—Construction'' within 30 days of enactment of this Act, only for necessary infrastructure repair improvements at Fort Baker, under the management of the Golden Gate Recreation Area: Provided further, That of the funds appropriated in this paragraph, not less than $355,000,000 shall be made available only for conventional ammunition care and maintenance: Provided further, That of the funds appropriated under this heading, $4,000,000 shall not be available until thirty days after the Secretary of the Army provides to the congressional defense committees the results of an assessment, solicited by means of a competitive bid, on the prospects of recovering costs associated with the environmental restoration of the Department of the Army's government-owned, contractor-operated facilities: Provided further, That of the funds made available under this heading, $7,000,000 shall only be available to the Secretary of the Army, acting through the Chief of Engineers, only for demolition and removal of facilities, buildings, and structures used at MOTBY (a Military Traffic Management Command facility): Provided further, That

notwithstanding section 2215 of title 10, United States Code, of the funds appropriated in this paragraph, $975,666 is authorized to be transferred to the Presidential Advisory Commission on Holocaust Assets in the United States, to remain available until March 31, 2001.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $5,155,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $22,958,784,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $2,808,354,000.

OPERATION AND MAINTENANCE, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,882,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $20,896,959,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That notwithstanding any other provision of law, of the funds available under this heading, $950,000 shall only be available to the Secretary of the Air Force for a grant to Florida Memorial College for the purpose of funding minority aviation training.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $11,489,483,000, of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of which not to exceed $32,300,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided, That of the amount appropriated under the heading ''Operation and Maintenance, Defense-Wide'' in division B, title I, of Public Law 105–277, the amount of $202,000,000 not covered as of July 12, 1999, by an official budget request under the fifth proviso of that section is available, subject to such an official budget request for that entire amount, only for the following accounts in the specified amounts:

''Other Procurement, Air Force'', $102,000,000; and

''Procurement, Defense-Wide'', $100,000,000: Provided further, That none of the amount of $202,000,000 described in the preceding proviso may be made available for obligation unless the entire amount is released to the Department of Defense and made available for obligation for the accounts, and in the amounts, specified in the preceding proviso: Provided further, That of the amounts provided under this heading, $20,000,000 to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance, procurement, and research, development, test and evaluation appropriations accounts, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided in this Act: Provided further, That of the funds made available under this heading, $10,000,000 shall be available only for retrofitting security containers that are under the control of, or that are accessible by, defense contractors.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,469,176,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $958,978,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $138,911,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,782,591,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $3,161,378,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things, hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $3,241,138,000.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses directly relating to Overseas Contingency Operations by United States military forces, $1,722,600,000, to remain available until expended: Provided, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title, the Defense Health Program appropriation, and to working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere in this Act.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $7,621,000, of which not to exceed $2,500 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $378,170,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $284,000,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that

all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $376,800,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $25,370,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $239,214,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code), $55,800,000, to remain available until September 30, 2001.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, $460,500,000, to remain available until September 30, 2002: Provided, That of the amounts provided under this heading, $25,000,000 shall be available only to support the dismantling and disposal of nuclear submarines and submarine reactor components in the Russian Far East.

QUALITY OF LIFE ENHANCEMENTS, DEFENSE

For expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Department of Defense (including military housing and barracks), $300,000,000, for the maintenance of real property of the Department of Defense (including minor construction and major maintenance and repair), which shall remain available for obligation until September 30, 2001, as follows:

Army, $77,000,000;
Navy, $77,000,000;
Marine Corps, $58,500,000;
Air Force, $77,000,000; and
Defense-Wide, $10,500,000:

Provided, That notwithstanding any other provision of law, of the funds appropriated under this heading for Defense-Wide activities, the entire amount shall only be available for grants by the Secretary of Defense to local educational authorities which maintain primary and secondary educational facilities located within Department of Defense installations, and which are used primarily by Department of Defense military and civilian dependents, for facility repairs and improvements to such educational facilities: Provided further, That such grants to local educational authorities may be made for repairs and improvements to such educational facilities as required to meet classroom size requirements: Provided further, That the cumulative amount of any grant or grants to any single local educational authority provided pursuant to the provisions under this heading shall not exceed $1,500,000.

PENTAGON RENOVATION TRANSFER FUND

For expenses, not otherwise provided for, resulting from the Department of Defense renovation of the Pentagon Reservation, $222,800,000, for the renovation of the Pentagon Reservation, which shall remain available for obligation until September 30, 2001.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,451,688,000, to remain available for obligation until September 30, 2002.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,322,305,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,586,490,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,204,120,000, to remain available for obligation until September 30, 2002.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of not to exceed 36 passenger motor vehicles for replacement only; and the purchase of 3 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $200,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,738,934,000, to remain available for obligation until September 30, 2002.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval

of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $8,662,655,000, to remain available for obligation until September 30, 2002.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $1,383,413,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $525,200,000, to remain available for obligation until September 30, 2002.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

NSSN (AP), $748,497,000;

CVN–77 (AP), $751,540,000;

CVN Refuelings (AP), $345,565,000;

DDG–51 destroyer program, $2,681,653,000;

LPD–17 amphibious transport dock ship, $1,508,338,000;

LHD–8 (AP), $375,000,000;

ADC(X), $439,966,000;

LCAC landing craft air cushion program, $31,776,000; and

For craft, outfitting, post delivery, conversions, and first destination transportation, $171,119,000;

In all: $7,053,454,000, to remain available for obligation until September 30, 2004: Provided, That additional obligations may be incurred after September 30, 2004, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: Provided further, That the Secretary of the Navy is hereby granted the authority to enter into a contract for an LHD–1 Amphibious Assault Ship which shall be funded on an incremental basis.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 50 passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $4,320,238,000, to remain available for obligation until September 30, 2002.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 43 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,300,920,000, to remain available for obligation until September 30, 2002.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, lease, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $8,228,630,000, to remain available for obligation until September 30, 2002.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,211,407,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $442,537,000, to remain available for obligation until September 30, 2002.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 53 passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $7,146,157,000, to remain available for obligation until September 30, 2002.

PROCUREMENT, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 103 passenger motor vehicles for replacement only; the purchase of 7 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $2,249,566,000, to remain available for obligation until September 30, 2002: Provided, That of the funds available under this heading, not less than $39,491,000, including $6,000,000 derived by transfer from ''Research, Development, Test and Evaluation, Defense-Wide'', shall be available only to support Electronic Commerce Resource Centers.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $150,000,000, to remain available for obligation until September 30, 2002: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $3,000,000 only for microwave power tubes and to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $5,266,601,000, to remain available for obligation until September 30, 2001.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $9,110,326,000, to remain available for obligation until September 30, 2001: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique requirements of the Special Operation Forces: Provided further, That of the funds available under this heading, no more than $7,000,000 shall be available only to initiate a cost improvement program for the Intercooled Recuperated Gas Turbine Engine program: Provided further, That the funds identified in the immediately preceding proviso shall be made available only if the Secretary of the Navy certifies to the congressional defense committees that binding commitments to finance the remaining cost of the ICR cost improvement program have been secured from non-federal sources: Provided further, That should the Secretary of the Navy fail to make the certification required in the immediately preceding proviso by July 31, 2000, the Secretary shall make the funds subject to such certification available for DD–21 ship propulsion risk reduction: Provided further, That the Department of Defense shall not pay more than one-third of the cost of the Intercooled Recuperated Gas Turbine Engine cost improvement program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $13,674,537,000, to remain available for obligation until September 30, 2001.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $9,256,705,000, to remain available for obligation until September 30, 2001: Provided, That of the amount appropriated in section 102 of division B, title I, of Public Law 105–277 (112 Stat. 2681–558), the amount of $230,000,000 not covered as of July 12, 1999, by an official budget request under the third proviso of that section is available, subject to such an official budget request for that entire amount, only for the following programs in the specified amounts:

''Theater High-Altitude Area Defense System—TMD–EMD'', $38,000,000;

''PATRIOT PAC–3 Theater Missile Defense Acquisition—EMD'', $75,000,000; and

''National Missile Defense Dem/Val'', $117,000,000:

Provided further, That none of the amount of $230,000,000 described in the preceding proviso may be made available for obligation unless the entire amount is released to the Department of Defense and made available for obligation for the programs, and in the amounts, specified in the preceding proviso.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith, $265,957,000, to remain available for obligation until September 30, 2001.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $31,434,000, to remain available for obligation until September 30, 2001.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $90,344,000: Provided, That during fiscal year 2000, funds in the Defense Working Capital Funds may be used for the purchase of not to exceed 295 passenger motor vehicles for replacement only for the Defense Security Service.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), $717,200,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $11,154,617,000, of which $10,522,647,000 shall be for Operation and maintenance, of which not to exceed 2 per centum shall remain available until September 30, 2001; of which $356,970,000, to remain available for obligation until September 30, 2002, shall be for Procurement; and of which $275,000,000, to remain available for obligation until September 30, 2001, shall be for Research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,029,000,000, of which $543,500,000 shall be for Operation and maintenance to remain available until September 30, 2001, $191,500,000 shall be for Procurement to remain available until September 30, 2002, and $294,000,000 shall be for Research, development, test and evaluation to remain available until September 30, 2001: Provided, That of the funds available under this heading, $1,000,000 shall be available until expended each year only for a Johnston Atoll off-island leave program: Provided further, That the Secretaries concerned shall, pursuant to uniform regulations, prescribe travel and transportation allowances for travel by participants in the off-island leave program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation, $847,800,000: Provided, That of the funds appropriated under this heading, $10,800,000 is hereby transferred to appropriations available for ''Military Construction, Air Force'' for fiscal year 2000, and the transferred funds shall be available for study, planning, design, architect and engineer services at forward operating locations in the area of responsibility of the United States Southern Command: Provided further, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $137,544,000, of which $136,244,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,300,000 to remain available until September 30, 2002, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $209,100,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account, $158,015,000, of which $34,923,000 for the Advanced Research

and Development Committee shall remain available until September 30, 2001: Provided, That of the funds appropriated under this heading, $27,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, $1,500,000 for Procurement shall remain available until September 30, 2002, and $1,000,000 for Research, development, test and evaluation shall remain available until September 30, 2001.

PAYMENT TO KAHO'OLAWE ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION FUND

For payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law, $35,000,000, to remain available until expended.

NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102–183, $8,000,000, to be derived from the National Security Education Trust Fund, to remain available until expended.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $1,600,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8008. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

Longbow Apache Helicopter; Javelin missile; Abrams M1A2 Upgrade; F/A–18E/F aircraft; C–17 aircraft; and F–16 aircraft.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 2000, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2001 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2001 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2001.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8011. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the 50 United States, its territories, and the District of Columbia, 125,000 civilian workyears: Provided, That workyears shall be applied as defined in the Federal Personnel Manual: Provided further, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8012. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8013. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 3015(d) of title 38, United States Code, for any member of the armed services who, on or after the date of the enactment of this Act, enlists in the armed services for a period of active duty of less than three years, nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: Provided, That these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July

1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: Provided further, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this subsection applies only to active components of the Army.

SEC. 8014. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That this section and subsections (a), (b), and (c) of 10 U.S.C. 2461 shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 per centum Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: Provided, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8018. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8019. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by executive agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: Provided, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: Provided further, That the Department of Defense's budget submission for fiscal year 2001 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: Provided further, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: Provided further, That each such executive agreement with a NATO member host nation shall be reported to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate 30 days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8020. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

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

SEC. 8022. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

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

SEC. 8024. In addition to the funds provided elsewhere in this Act, $8,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That contractors participating in the test program established by section 854 of Public Law 101–189 (15 U.S.C. 637 note) shall be eligible for the program established by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544).

SEC. 8025. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5, United States Code, or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code, or the National Guard, as described in section 101 of title 32, United States Code;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under sections 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable; or

(B) full-time military service for his or her State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5, United States Code.

SEC. 8026. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 48 months after initiation of such study for a multi-function activity.

SEC. 8027. Funds appropriated by this Act for the American Forces Information Service shall

not be used for any national or international political or psychological activities.

SEC. 8028. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

Sec. 8029. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8030. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase ''qualified nonprofit agency for the blind or other severely handicapped'' means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46–48).

SEC. 8031. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8032. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8033. Of the funds made available in this Act, not less than $26,588,000 shall be available for the Civil Air Patrol Corporation, of which $22,888,000 shall be available for Civil Air Patrol Corporation operation and maintenance to support readiness activities which includes $1,418,000 for the Civil Air Patrol counterdrug program: Provided, That funds identified for ''Civil Air Patrol'' under this section are intended for and shall be for the exclusive use of the Civil Air Patrol Corporation and not for the Air Force or any unit thereof.

SEC. 8034. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2000 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2000, not more than 6,206 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,105 staff years may be funded for the defense studies and analysis FFRDCs.

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2001 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

SEC. 8035. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8036. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8037. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8038. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2000. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8039. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8040. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2)(A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8041. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: Provided, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: Provided further, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8042. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for

salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense agencies.

SEC. 8043. Notwithstanding any other provision of law, funds available for ''Drug Interdiction and Counter-Drug Activities, Defense'' may be obligated for the Young Marines program.

SEC. 8044. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act: Provided, That none of the funds made available for expenditure under this section may be transferred or obligated until thirty days after the Secretary of Defense submits a report which details the balance available in the Overseas Military Facility Investment Recovery Account, all projected income into the account during fiscal years 2000 and 2001, and the specific expenditures to be made using funds transferred from this account during fiscal year 2000.

SEC. 8045. Of the funds appropriated or otherwise made available by this Act, not more than $119,200,000 shall be available for payment of the operating costs of NATO Headquarters: Provided, That the Secretary of Defense may waive this section for Department of Defense support provided to NATO forces in and around the former Yugoslavia.

SEC. 8046. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $100,000.

SEC. 8047. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2001 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2001 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2001 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8048. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2001: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended.

SEC. 8049. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8050. Of the funds appropriated by the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $8,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8051. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986, and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8052. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8053. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

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

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

SEC. 8054. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8055. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8056. Funds appropriated by this Act and in Public Law 105–277, or made available by the transfer of funds in this Act and in Public Law 105–277 for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2000 until the enactment of the Intelligence Authorization Act for Fiscal Year 2000.

SEC. 8057. Notwithstanding section 303 of Public Law 96–487 or any other provision of law, the Secretary of the Navy is authorized to lease real and personal property at Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C. 2667(f), for commercial, industrial or other purposes: Provided, That notwithstanding any other provision of law, the Secretary of the Navy may remove hazardous materials from facilities, buildings, and structures at Adak, Alaska, and may demolish or otherwise dispose of such facilities, buildings, and structures: Provided further, That notwithstanding any other provision of law, not more than $4,650,000 of the funds provided under the heading ''Operation and Maintenance, Army'' in title II of this Act shall be available to the Secretary of the Army, acting through the Chief of Engineers, only for demolition and removal of facilities, buildings, and structures formerly used as a District Headquarters Office by the Corps of Engineers (Northwest Division, CENWW, Washington State), as described in the study conducted regarding the headquarters pursuant to the Energy and Water Development Appropriations Act, 1992 (Public Law 102–104; 105 Stat. 511).

(RESCISSIONS)

SEC. 8058. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded as of the date of the enactment of this Act, from the following accounts and programs in the specified amounts:

''Other Procurement, Navy, 1998/2000'', $2,167,000;

''Aircraft Procurement, Air Force, 1998/2000'', $15,800,000;

''Other Procurement, Army, 1999/2001'', $13,700,000;

''Aircraft Procurement, Navy, 1999/2001'', $41,500,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1999/2003'':

New Attack Submarine, $32,400,000;

CVN–69, $11,400,000;

''Other Procurement, Navy, 1999/2001'', $13,784,000;

''Aircraft Procurement, Air Force, 1999/2001'', $29,729,000;

''Missile Procurement, Air Force, 1999/2001'', $130,000,000;

''Research, Development, Test and Evaluation, Army, 1999/2000'', $5,400,000;

''Research, Development, Test and Evaluation, Navy, 1999/2000'', $14,900,000;

''Research, Development, Test and Evaluation, Air Force, 1999/2000'', $15,900,000; and

''Research, Development, Test and Evaluation, Defense-Wide, 1999/2000'', $23,500,000.

SEC. 8059. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8060. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8061. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: Provided, That during the performance of such duty, the members of the National Guard shall be under State command and control: Provided further, That such duty shall be treated as full-time National Guard duty for purposes of sections 12602(a)(2) and (b)(2) of title 10, United States Code.

SEC. 8062. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Foreign Intelligence Program (NFIP), the Joint Military Intelligence Program (JMIP), and the Tactical Intelligence and Related Activities (TIARA) aggregate: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8063. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 1999 level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8064. (a) None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning, design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,222,000,000.

(b) The Secretary shall, in conjunction with the Pentagon Renovation, design and construct secure secretarial offices and support facilities and security-related changes to the subway entrance at the Pentagon Reservation.

SEC. 8065. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(TRANSFER OF FUNDS)

SEC. 8066. Appropriations available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8067. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8068. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa, and funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8069. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8070. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8071. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State (as defined in section 381(d) of title 10, United States Code) which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8072. During the current fiscal year, the Army shall use the former George Air Force Base as the airhead for the National Training Center at Fort Irwin: Provided, That none of the funds in this Act shall be obligated or expended to transport Army personnel into Edwards Air Force Base for training rotations at the National Training Center.

SEC. 8073. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8074. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8075. To the extent authorized by subchapter VI of chapter 148 of title 10, United States Code, the Secretary of Defense may issue loan guarantees in support of United States defense exports not otherwise provided for: Provided, That the total contingent liability of the United States for guarantees issued under the authority of this section may not exceed $15,000,000,000: Provided further, That the exposure fees charged and collected by the Secretary for each guarantee, shall be paid by the country involved and shall not be financed as part of a loan guaranteed by the United States: Provided further, That the Secretary shall provide quarterly reports to the Committees on Appropriations, Armed Services and Foreign Relations of

the Senate and the Committees on Appropriations, Armed Services and International Relations in the House of Representatives on the implementation of this program: Provided further, That amounts charged for administrative fees and deposited to the special account provided for under section 2540c(d) of title 10, shall be available for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under subchapter VI of chapter 148 of title 10, United States Code.

SEC. 8076. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8077. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions or agents to the Johnston Atoll for the purpose of storing or demilitarizing such munitions or agents.

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

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

SEC. 8078. None of the funds provided in title II of this Act for ''Former Soviet Union Threat Reduction'' may be obligated or expended to finance housing for any individual who was a member of the military forces of the Soviet Union or for any individual who is or was a member of the military forces of the Russian Federation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8079. During the current fiscal year, no more than $10,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8080. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8081. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

(TRANSFER OF FUNDS)

SEC. 8082. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: Provided, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: Provided further, That the amounts shall be transferred between the following appropriations in the amount specified:

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1988/2001'':

SSN–688 attack submarine program, $6,585,000;

CG–47 cruiser program, $12,100,000;

Aircraft carrier service life extension program, $202,000;

LHD–1 amphibious assault ship program, $2,311,000;

LSD–41 cargo variant ship program, $566,000;

T–AO fleet oiler program, $3,494,000;

AO conversion program, $133,000;

Craft, outfitting, and post delivery, $1,688,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/2001'':

DDG–51 destroyer program, $27,079,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1989/2000'':

DDG–51 destroyer program, $13,200,000;

Aircraft carrier service life extension program, $186,000;

LHD–1 amphibious assault ship program, $3,621,000;

LCAC landing craft, air cushioned program, $1,313,000;

T–AO fleet oiler program, $258,000;

AOE combat support ship program, $1,078,000;

AO conversion program, $881,000;

T–AGOS drug interdiction conversion, $407,000;

Outfitting and post delivery, $219,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

LPD–17 amphibious transport dock ship, $21,163,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1990/2002'':

SSN–688 attack submarine program, $5,606,000;

DDG–51 destroyer program, $6,000,000;

ENTERPRISE refueling/modernization program, $2,306,000;

LHD–1 amphibious assault ship program, $183,000;

LSD–41 dock landing ship cargo variant program, $501,000;

LCAC landing craft, air cushioned program, $345,000;

MCM mine countermeasures program, $1,369,000;

Moored training ship demonstration program, $1,906,000;

Oceanographic ship program, $1,296,000;

AOE combat support ship program, $4,086,000;

AO conversion program, $143,000;

Craft, outfitting, post delivery, and ship special support equipment, $1,209,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1990/2002'':

T–AGOS surveillance ship program, $5,000,000;

Coast Guard icebreaker program, $8,153,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2002'':

LPD–17 amphibious transport dock ship, $7,192,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2002'':

CVN refuelings, $4,605,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1991/2001'':

SSN–21(AP) attack submarine program, $1,614,000;

LHD–1 amphibious assault ship program, $5,647,000;

LSD–41 dock landing ship cargo variant program, $1,389,000;

LCAC landing craft, air cushioned program, $330,000;

AOE combat support ship program, $1,435,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2001'':

CVN refuelings, $10,415,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1992/2001'':

SSN–21 attack submarine program, $11,983,000;

Craft, outfitting, post delivery, and DBOF transfer, $836,000;

Escalation, $5,378,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2001'':

CVN refuelings, $18,197,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1993/2002'':

Carrier replacement program (AP), $30,332,000;

LSD–41 cargo variant ship program, $676,000;

AOE combat support ship program, $2,066,000;

Craft, outfitting, post delivery, and first destination transportation, and inflation adjustments, $2,127,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2002'':

CVN refuelings, $29,844,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1999/2002'':

Craft, outfitting, post delivery, conversions, and first destination transportation, $5,357,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1994/2003'':

LHD–1 amphibious assault ship program, $23,900,000;

Oceanographic ship program, $9,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1994/2003'':

DDG–51 destroyer program, $18,349,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/1999'':

DDG–51 destroyer program, $5,383,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

LPD–17 amphibious transport dock ship, $168,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1999/2003'':

Craft, outfitting, post delivery, conversions, and first destination transportation, $9,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

SSN–21 attack submarine program, $10,100,000;

LHD–1 amphibious assault ship program, $7,100,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

DDG–51 destroyer program, $3,723,000;

LPD–17 amphibious transport dock ship, $13,477,000.

SEC. 8083. The Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees by February 1, 2000, a detailed report identifying, by amount and by separate budget activity, activity group, subactivity group, line item, program element, program, project, subproject, and activity, any activity for which the fiscal year 2001 budget request was reduced because Congress appropriated funds above the President's budget request for that specific activity for fiscal year 2000.

SEC. 8084. Funds appropriated in title II of this Act and for the Defense Health Program in title VI of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: Provided, That for the purpose of this section, supervision and administration costs includes all in-house Government cost.

SEC. 8085. During the current fiscal year, the Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: Provided, That costs for which reimbursement is waived pursuant to this subsection shall be paid from appropriations available for the Asia-Pacific Center.

SEC. 8086. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8087. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8088. Notwithstanding 31 U.S.C. 3902, during the current fiscal year, interest penalties may be paid by the Department of Defense from funds financing the operation of the military department or defense agency with which the invoice or contract payment is associated.

SEC. 8089. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Foreign Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

(RESCISSIONS)

SEC. 8090. Of the funds provided in the Department of Defense Appropriations Act, 1999 (Public Law 105–262), $452,100,000, to reflect savings from revised economic assumptions, is hereby rescinded as of the date of enactment of this Act, or October 1, 1999, whichever is later, from the following accounts in the specified amounts:

''Aircraft Procurement, Army'', $8,000,000;

''Missile Procurement, Army'', $7,000,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army'', $9,000,000;

''Procurement of Ammunition, Army'', $6,000,000;

''Other Procurement, Army'', $19,000,000;

''Aircraft Procurement, Navy'', $44,000,000;

''Weapons Procurement, Navy'', $8,000,000;

''Procurement of Ammunition, Navy and Marine Corps'', $3,000,000;

''Shipbuilding and Conversion, Navy'', $37,000,000;

''Other Procurement, Navy'', $23,000,000;

''Procurement, Marine Corps'', $5,000,000;

''Aircraft Procurement, Air Force'', $46,000,000;

''Missile Procurement, Air Force'', $14,000,000;

''Procurement of Ammunition, Air Force'', $2,000,000;

''Other Procurement, Air Force'', $44,400,000;

''Procurement, Defense-Wide'', $5,200,000;

''Chemical Agents and Munitions Destruction, Army'', $5,000,000;

''Research, Development, Test and Evaluation, Army'', $20,000,000;

''Research, Development, Test and Evaluation, Navy'', $40,900,000;

''Research, Development, Test and Evaluation, Air Force'', $76,900,000; and

''Research, Development, Test and Evaluation, Defense-Wide'', $28,700,000:

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

SEC. 8091. The budget of the President for fiscal year 2001 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include budget activity groups (known as ''subactivities'') in all appropriations accounts provided in this Act, as may be necessary, to separately identify all costs incurred by the Department of Defense to support the North Atlantic Treaty Organization and all Partnership For Peace programs and initiatives. The budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2001, and subsequent fiscal years, shall provide complete, detailed estimates for all such costs.

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

SEC. 8093. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

(d) None of the funds appropriated or otherwise provided for the Department of Defense in this or any other Act for any fiscal year may be obligated or expended for procurement of a nuclear-capable shipyard crane from a foreign source. Subsection (a) does not apply to the limitation in the preceding sentence.

SEC. 8094. Funds made available to the Civil Air Patrol in this Act under the heading ''Drug Interdiction and Counter-Drug Activities, Defense'' may be used for the Civil Air Patrol Corporation's counterdrug program, including its demand reduction program involving youth programs, as well as operational and training drug reconnaissance missions for Federal, State and local government agencies; for administrative costs, including the hiring of Civil Air Patrol Corporation employees; for travel and per diem expenses of Civil Air Patrol Corporation personnel in support of those missions; and for equipment needed for mission support or performance: Provided, That of these funds, $300,000 shall be made available to establish and operate a distance learning program: Provided further, That the Department of the Air Force should waive reimbursement from the Federal, State and local government agencies for the use of these funds.

SEC. 8095. Notwithstanding any other provision of law, the TRICARE managed care support contracts in effect, or in final stages of acquisition as of September 30, 1999, may be extended for two years: Provided, That any such extension may only take place if the Secretary of Defense determines that it is in the best interest of the Government: Provided further, That any contract extension shall be based on the price in the final best and final offer for the last year of the existing contract as adjusted for inflation and other factors mutually agreed to by the contractor and the Government: Provided further, That notwithstanding any other provision of law, all future TRICARE managed care support contracts replacing contracts in effect, or in the final stages of acquisition as of September 30, 1999, may include a base contract period for transition and up to seven one-year option periods.

SEC. 8096. None of the funds in this Act may be used to compensate an employee of the Department of Defense who initiates a new start program without notification to the Office of the Secretary of Defense, the Office of Management

and Budget, and the congressional defense committees, as required by Department of Defense financial management regulations.

SEC. 8097. In addition to the amounts provided elsewhere in this Act, notwithstanding any other provision of law, $5,000,000 is hereby appropriated to the Office of the Secretary of Defense, and is available only for a grant to the Women in Military Service for America Memorial Foundation, Inc., only for costs associated with completion of the ''Women in Military Service For America'' memorial at Arlington National Cemetery.

SEC. 8098. TRAINING AND OTHER PROGRAMS. (a) PROHIBITION.—None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) REPORT.—Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8099. The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental equipment of the Department of Defense, at no cost to the Department of Defense, to Indian health service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

SEC. 8100. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $123,200,000 to reflect savings from the pay of civilian personnel, to be distributed as follows:

''Operation and Maintenance, Army'', $30,900,000;

''Operation and Maintenance, Navy'', $66,600,000;

''Operation and Maintenance, Air Force'', $9,200,000; and

''Operation and Maintenance, Defense-Wide'', $16,500,000.

SEC. 8101. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $171,000,000 to reflect savings from favorable foreign currency fluctuations, to be distributed as follows:

''Military Personnel, Army'', $19,100,000;

''Military Personnel, Navy'', $2,200,000;

''Military Personnel, Air Force'', $9,900,000;

''Operation and Maintenance, Army'', $80,700,000;

''Operation and Maintenance, Navy'', $13,700,000;

''Operation and Maintenance, Air Force,'' $26,900,000;

''Operation and Maintenance, Defense-Wide'', $8,700,000; and

''Defense Health Program'', $9,800,000.

SEC. 8102. Notwithstanding any other provision of law, the Secretary of Defense may retain all or a portion of the family housing at Fort Buchanan, Puerto Rico, as the Secretary deems necessary to meet military family housing needs arising out of the relocation of elements of the United States Army South to Fort Buchanan.

SEC. 8103. From within amounts made available in title II of this Act, under the heading ''Operation and Maintenance, Army'', and notwithstanding any other provision of law, $12,500,000 shall be available only for repairs and safety improvements to the segment of Fort Irwin Road which extends from Interstate 15 northeast toward the boundary of Fort Irwin, California and the originating intersection of Irwin Road: Provided, That these funds shall remain available until expended: Provided further, That the authorized scope of work includes, but is not limited to, environmental documentation and mitigation, engineering and design, improving safety, resurfacing, widening lanes, enhancing shoulders, and replacing signs and pavement markings: Provided further, That these funds may be used for advances to the Federal Highway Administration, Department of Transportation, for the authorized scope of work.

SEC. 8104. Funds appropriated to the Department of the Navy in title II of this Act may be available to replace lost and canceled Treasury checks issued to Trans World Airlines in the total amount of $255,333.24 for which timely claims were filed and for which detailed supporting records no longer exist.

SEC. 8105. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the ADC(X) class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8106. From within amounts made available in title II of this Act under the heading ''Operation and Maintenance, Defense-Wide'', and notwithstanding any other provision of law, $2,500,000 shall be available only for a grant for ''America's Promise—The Alliance for Youth, Inc.'', only to support, on a dollar-for-dollar matching basis with non-departmental funds, efforts to mobilize individuals, groups and organizations to build and strengthen the character and competence of the Nation's youth.

SEC. 8107. Of the funds made available in this Act, not less than $47,100,000 shall be available to maintain an attrition reserve force of 23 B–52 aircraft, of which $3,100,000 shall be available from ''Military Personnel, Air Force'', $34,500,000 shall be available from ''Operation and Maintenance, Air Force'', and $9,600,000 shall be available from ''Aircraft Procurement, Air Force'': Provided, That the Secretary of the Air Force shall maintain a total force of 94 B–52 aircraft, including 23 attrition reserve aircraft, during fiscal year 2000: Provided further, That the Secretary of Defense shall include in the Air Force budget request for fiscal year 2001 amounts sufficient to maintain a B–52 force totaling 94 aircraft.

SEC. 8108. Notwithstanding any other provision in this Act, the total amount appropriated in title II is hereby reduced by $100,000,000 to reflect savings resulting from reviews of Department of Defense missions and functions conducted pursuant to Office of Management and Budget Circular A–76, to be distributed as follows:

''Operation and Maintenance, Army'', $34,300,000;

''Operation and Maintenance, Navy'', $22,800,000;

''Operation and Maintenance, Marine Corps'', $1,400,000; and

''Operation and Maintenance, Air Force'', $41,500,000:

Provided, That none of the funds appropriated or otherwise made available by this Act may be obligated or expended for the purpose of contracting out functions directly related to the award of Department of Defense contracts, oversight of contractors with the Department of Defense, or the payment of such contractors including, but not limited to: contracting technical officers, contact administration officers, accounting and finance officers, and budget officers.

SEC. 8109. (a) REPORT ON OMB CIRCULAR A–76 REVIEWS OF WORK PERFORMED BY DOD EMPLOYEES.—The Secretary of Defense shall submit a report not later than 90 days after the enactment of this Act which lists all instances since 1995 in which missions or functions of the Department of Defense have been reviewed by the Department of Defense pursuant to OMB Circular A–76. The report shall list the disposition of each such review and indicate whether the review resulted in the performance of such missions or functions by Department of Defense civilian and military personnel, or whether such reviews resulted in performance by contractors. The report shall include a description of the types of missions or functions, the locations where the missions or functions are performed, the name of the contractor performing the work (if applicable), the cost to perform the missions or functions at the time the review was conducted, and the current cost to perform the missions or functions.

(b) REPORT ON OMB CIRCULAR A–76 REVIEWS OF WORK PERFORMED BY DOD CONTRACTORS.—The report shall also identify those instances in which work performed by a contractor has been converted to performance by civilian or military employees of the Department of Defense. For each instance of contracting in, the report shall include a description of the types of work, the locations where the work was performed, the name of the contractor that was performing the work, the cost of contractor performance at the time the work was contracted in, and the current cost of performance by civilian or military employees of the Department of Defense. In addition, the report shall include recommendations for maximizing the possibility of effective public-private competition for work that has been contracted out.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the Secretary submits the annual report, the Comptroller General shall submit to the House and Senate Committees on Appropriations the Comptroller General's views on whether the Department has complied with the requirements for the report.

SEC. 8110. The budget of the President for fiscal year 2001 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include separate budget justification documents for costs of United States armed forces' participation in contingency operations for the Military Personnel accounts, the Procurement accounts, and the Overseas Contingency Operations Transfer Fund: Provided, That these budget justification documents shall include a description of the funding requested for each

anticipated contingency operation, for each military service, to include active duty and Guard and Reserve components, and for each appropriation account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for ongoing contingency operations, and programmatic data including, but not limited to troop strength for each active duty and Guard and Reserve component, and estimates of the major weapons systems deployed in support of each contingency.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8111. In addition to amounts appropriated or otherwise made available in this Act, $35,000,000 is hereby appropriated, only to initiate and expand activities of the Department of Defense to prevent, prepare for, and respond to a terrorist attack in the United States involving weapons of mass destruction: Provided, That funds made available under this section shall be transferred to the following accounts:

''Reserve Personnel, Army'', $2,000,000;

''National Guard Personnel, Army'', $2,000,000;

''National Guard Personnel, Air Force'', $500,000;

''Operation and Maintenance, Army'', $24,500,000; and

''Research, Development, Test and Evaluation, Army'', $6,000,000:

Provided further, That funds transferred pursuant to this section shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That of the funds transferred to ''Operation and Maintenance, Army'', not less than $3,000,000 shall be made available only to establish a cost effective counter-terrorism training program for first responders and concurrent testing of response apparatus and equipment at the Memorial Tunnel Facility: Provided further, That of the funds transferred to ''Operation and Maintenance, Army'', not less than $2,000,000 shall be made available only to support development of a structured undergraduate research program for chemical and biological warfare defense designed to produce graduates with specialized laboratory training and scientific skills required by military and industrial laboratories engaged in combating the threat of biological and chemical terrorism: Provided further, That of the funds transferred to ''Operation and Maintenance, Army'', not less than $3,500,000 shall be made available for a National Guard Bureau and Department of Justice collaborative training program only to enhance distance learning technologies and develop related courseware to provide training for counter-terrorism and related concerns: Provided further, That of the funds transferred to ''Research, Development, Test and Evaluation, Army'', not less than $3,000,000 shall be made available only to continue development and presentation of advanced distributed learning consequence management response courses and conventional courses.

SEC. 8112. (a) The Secretary of Defense shall, along with submission of the fiscal year 2001 budget request for the Department of Defense, submit to the congressional defense committees a report, in both unclassified and classified versions, which contains an assessment of the advantages or disadvantages of deploying a ground-based National Missile Defense system at more than one site.

(b) This report shall include, but not be limited to, an assessment of the following issues:

(1) The ability of a single site, versus multiple sites, to counter the expected ballistic missile threat;

(2) The optimum basing locations for a single and multiple site National Missile Defense system;

(3) The survivability and redundancy of potential National Missile Defense systems under a single or multiple site architecture;

(4) The estimated costs (including development, construction and infrastructure, and procurement of equipment) associated with different site deployment options; and

(5) Other issues bearing on deploying a National Missile Defense system at one or more sites.

SEC. 8113. The Secretary of the Navy and the Secretary of the Air Force each shall submit a report to the congressional defense committees within 90 days of enactment of this Act in both classified and unclassified form which shall provide a detailed description of the dedicated aggressor squadrons used to conduct combat flight training for the Navy, Marine Corps and Air Force covering the period from fiscal year 1990 through the present. For each year of the specified time period, each report shall provide a detailed description of the following: the assets which comprise dedicated aggressor squadrons including both aircrews, and the types and models of aircraft assigned to these squadrons; the number of training sorties for all forms of combat flight training which require aggressor aircraft, and the number of sorties that the dedicated aggressor squadrons can generate to meet these requirements; the ratio of the total inventory of attack and fighter aircraft to the number of aircraft available for dedicated aggressor squadrons; a comparison of the performance characteristics of the aircraft assigned to dedicated aggressor squadrons compared to the performance characteristics of the aircraft they are intended to represent in training scenarios; an assessment of pilot proficiency by year from 1986 to the present; Service recommendations to enhance aggressor squadron proficiency to include number of dedicated aircraft, equipment, facilities, and personnel; and a plan that proposes improvements in dissimilar aircraft air combat training.

SEC. 8114. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business: Provided, That the Department of Defense Office of the Inspector General shall provide a report to the House and Senate Committees on Appropriations not later than 90 days after the enactment of this Act which assesses the compliance of each of the military services with applicable appropriations law, Office of Management and Budget circulars, and Undersecretary of Defense (Comptroller) directives which govern funding for maintenance and repairs to flag officer quarters: Provided further, That this report shall include an assessment as to whether there have been violations of the Anti-Deficiency Act resulting from instances of improper funding of such maintenance and repair projects.

SEC. 8115. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any advanced concept technology demonstration project may only be obligated thirty days after a report, including a description of the project and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so: Provided further, That none of the funds appropriated under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in the Department of Defense Appropriations Act, 1999 (Public Law 105–262) which remain available for obligation are available for the Line of Sight Anti-Tank Program: Provided further, That of the funds appropriated under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in Public Law 105–262, $10,027,000 shall be available only for the Air Directed Surface to Air Missile.

SEC. 8116. None of the funds appropriated under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in the Department of Defense Appropriations Act, 1999 (Public Law 105–262) which remain available for obligation are available for the Medium Extended Air Defense System or successor systems.

SEC. 8117. Of the funds appropriated in title II of this Act under the heading ''Operation and Maintenance, Army'', $250,000 shall be available only for a grant to the Nebraska Game and Parks Commission for the purpose of locating, identifying the boundaries of, acquiring, preserving, and memorializing the cemetery site that is located in close proximity to Fort Atkinson, Nebraska. The Secretary of the Army shall require as a condition of such grant that the Nebraska Game and Parks Commission, in carrying out the purposes of which the grant is made, work in conjunction with the Nebraska State Historical Society. The grant under this section shall be made without regard to section 1301 of title 31, United States Code, or any other provision of law.

SEC. 8118. Notwithstanding any other provision of law, for the purpose of establishing all Department of Defense policies governing the provision of care provided by and financed under the military health care system's case management program under 10 U.S.C. 1079(a)(17), the term ''custodial care'' shall be defined as care designed essentially to assist an individual in meeting the activities of daily living and which does not require the supervision of trained medical, nursing, paramedical or other specially trained individuals: Provided, That the case management program shall provide that members and retired members of the military services, and their dependents and survivors, have access to all medically necessary health care through the health care delivery system of the military services regardless of the health care status of the person seeking the health care: Provided further, That the case management program shall be the primary obligor for payment of medically necessary services and shall not be considered as secondarily liable to Title XIX of The Social Security Act, other welfare programs or charity based care.

SEC. 8119. During the current fiscal year—

(1) refunds attributable to the use of the Government travel card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance accounts of the Department of Defense which are current when the refunds are received; and

(2) refunds attributable to the use of the Government Purchase Card by military personnel and civilian employees of the Department of Defense may be credited to accounts of the Department of Defense that are current when the refunds are received and that are available for the same purposes as the accounts originally charged.

SEC. 8120. During the current fiscal year and hereafter, any Federal grant of funds to an institution of higher education to be available solely for student financial assistance or related administrative costs may be used for the purpose for which the grant is made without regard to

any provision to the contrary in section 514 of the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1997 (10 U.S.C. 503 note), or section 983 of title 10, United States Code.

SEC. 8121. (a) REGISTERING INFORMATION TECHNOLOGY SYSTEMS WITH DOD CHIEF INFORMATION OFFICER.—After March 31, 2000, none of the funds appropriated in this Act may be used for a mission critical or mission essential information technology system (including a system funded by the defense working capital fund) that is not registered with the Chief Information Officer of the Department of Defense. A system shall be considered to be registered with that officer upon the furnishing to that officer of notice of the system, together with such information concerning the system as the Secretary of Defense may prescribe. An information technology system shall be considered a mission critical or mission essential information technology system as defined by the Secretary of Defense.

(b) CERTIFICATIONS AS TO COMPLIANCE WITH CLINGER-COHEN ACT.—(1) During fiscal year 2000, a major automated information system may not receive Milestone I approval, Milestone II approval, or Milestone III approval within the Department of Defense until the Chief Information Officer certifies, with respect to that milestone, that the system is being developed in accordance with the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.). The Chief Information Officer may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1). Each such notification shall include, at a minimum, the funding baseline and milestone schedule for each system covered by such a certification and confirmation that the following steps have been taken with respect to the system:

(A) Business process reengineering.

(B) An analysis of alternatives.

(C) An economic analysis that includes a calculation of the return on investment.

(D) Performance measures.

(E) An information assurance strategy consistent with the Department's Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C4ISR) Architecture Framework.

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

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

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

(3) The term ''major automated information system'' has the meaning given that term in Department of Defense Directive 5000.1.

SEC. 8122. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the Department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8123. (a) RECOVERY OF CERTAIN DOD ADMINISTRATIVE EXPENSES IN CONNECTION WITH FOREIGN MILITARY SALES PROGRAM.—Charges for administrative services calculated under section 21(e) of the Arms Export Control Act (22 U.S.C. 2761(e)) in connection with the sale of defense articles or defense services shall (notwithstanding paragraph (3) of section 43(b) of such Act (22 U.S.C. 2792(b)) include recovery of administrative expenses incurred by the Department of Defense during fiscal year 2000 that are attributable to (1) salaries of members of the Armed Forces, and (2) unfunded estimated costs of civilian retirement and other benefits.

(b) REIMBURSEMENT OF APPLICABLE MILITARY PERSONNEL ACCOUNTS.—During the current fiscal year, amounts in the Foreign Military Sales Trust Fund shall be available in an amount not to exceed $63,000,000 to reimburse the applicable military personnel accounts in title I of this Act for the value of administrative expenses referred in subsection (a)(1).

(c) REDUCTIONS TO REFLECT AMOUNTS EXPECTED TO BE RECOVERED.—(1) The amounts in title I of this Act are hereby reduced by an aggregate of $63,000,000 (such amount being the amount expected to be recovered by reason of subsection (a)(1)).

(2) The amounts in title II of this Act are hereby reduced by an aggregate of $31,000,000 (such amount being that amount expected to be recovered by reason of subsection (a)(2)).

SEC. 8124. (a) The Communications Act of 1934 is amended in section 337(b) (47 U.S.C. 337(b)), by deleting paragraph (2). Upon enactment of this provision, the FCC shall initiate the competitive bidding process in fiscal year 1999 and shall conduct the competitive bidding in a manner that ensures that all proceeds of such bidding are deposited in accordance with section 309(j)(8) of the Act not later than September 30, 2000. To expedite the assignment by competitive bidding of the frequencies identified in section 337(a)(2) of the Act, the rules governing such frequencies shall be effective immediately upon publication in the Federal Register, notwithstanding 5 U.S.C. 553(d), 801(a)(3), 804(2), and 806(a). Chapter 6 of such title, 15 U.S.C. 632, and 44 U.S.C. 3507 and 3512, shall not apply to the rules and competitive bidding procedures governing such frequencies. Notwithstanding section 309(b) of the Act, no application for an instrument of authorization for such frequencies shall be granted by the Commission earlier than 7 days following issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereto. Notwithstanding section 309(d)(1) of such Act, the Commission may specify a period (no less than 5 days following issuance of such public notice) for the filing of petitions to deny any application for an instrument of authorization for such frequencies.

(b)(1) Not later than 15 days after the date of the enactment of this Act, the Director of the Office of Management and Budget and the Federal Communications Commission shall each submit to the appropriate congressional committees a report which shall—

(A) set forth the anticipated schedule (including specific dates) for—

(i) preparing and conducting the competitive bidding process required by subsection (a); and

(ii) depositing the receipts of the competitive bidding process;

(B) set forth each signficant milestone in the rulemaking process with respect to the competitive bidding process;

(C) include an explanation of the effect of each requirement in subsection (a) on the schedule for the competitive bidding process and any post-bidding activities (including the deposit of receipts) when compared with the schedule for the competitive bidding and any post-bidding activities (including the deposit of receipts) that would otherwise have occurred under section 337(b)(2) of the Communications Act of 1934 (47 U.S.C. 337(b)(2)) if not for the enactment of subsection (a);

(D) set forth for each spectrum auction held by the Federal Communications Commission since 1993 information on—

(i) the time required for each stage of preparation for the auction;

(ii) the date of the commencement and of the completion of the auction;

(iii) the time which elapsed between the date of the completion of the auction and the date of the first deposit of receipts from the auction in the Treasury; and

(iv) the dates of all subsequent deposits of receipts from the auction in the Treasury; and

(E) include an assessment of how the stages of the competitive bidding process required by subsection (a), including preparation, commencement and completion, and deposit of receipts, will differ from similar stages in the auctions referred to in subparagraph (D).

(2) Not later than October 5, 2000, the Director of the Office of Management and Budget and the Federal Communications Commission shall each submit to the appropriate congressional committees the report which shall—

(A) describe the course of the competitive bidding process required by subsection (a) through September 30, 2000, including the amount of any receipts from the competitive bidding process deposited in the Treasury as of September 30, 2000; and

(B) if the course of the competitive bidding process has included any deviations from the schedule set forth under paragraph (1)(A), an explanation for such deviations from the schedule.

(3) The Federal Communications Commission may not consult with the Director in the preparation and submittal of the reports required of the Commission by this subsection.

(4) In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The Committees on Appropriations, the Budget, and Commerce of the Senate.

(B) The Committees on Appropriations, the Budget, and Commerce of the House of Representatives.

(C) Nothing in this section shall be construed to supercede the requirements placed on the Federal Communications Commission by 47 U.S.C. 337(d)(4).

SEC. 8125. (a) REPORT REQUIRED.—Not later than January 31, 2000, the Secretary of Defense shall submit to the congressional defense committees in both classified and unclassified form a report on the conduct of Operation Desert Fox and Operation Allied Force (also referred to as Operation Noble Anvil). The Secretary of Defense shall submit to such committees a preliminary report on the conduct of these operations not later than December 15, 1999. The report (including the preliminary report) should be prepared in consultation with the Chairman of the Joint Chiefs of Staff, the Commander in Chief of the United States Central Command, and the Commander in Chief of the United States European Command.

(b) REVIEW OF SUCCESSES AND DEFICIENCIES.—The report should contain a thorough review of the successes and deficiencies of these operations, with respect to the following matters:

(1) United States military objectives in these operations.

(2) With respect to Operation Allied Force, the military strategy of the North Atlantic Treaty Organization (NATO) to obtain said military objectives.

(3) The command structure for the execution of Operation Allied Force.

(4) The process for identifying, nominating, selecting, and verifying targets to be attacked

during Operation Desert Fox and Operation Allied Force.

(5) A comprehensive battle damage assessment of targets prosecuted during the conduct of the air campaigns in these operations, to include—

(A) fixed targets, both military and civilian, to include bridges, roads, rail lines, airfields, power generating plants, broadcast facilities, oil refining infrastructure, fuel and munitions storage installations, industrial plants producing military equipment, command and control nodes, civilian leadership bunkers and military barracks;

(B) mobile military targets such as tanks, armored personnel carriers, artillery pieces, trucks, and air defense assets;

(C) with respect to Operation Desert Fox, research and production facilities associated with Iraq's weapons of mass destruction and ballistic missile programs, and any military units or organizations associated with such activities within Iraq; and

(D) a discussion of decoy, deception and counter-intelligence techniques employed by the Iraqi and Serbian military.

(6) The use and performance of United States military equipment, weapon systems, munitions, and national and tactical reconnaissance and surveillance assets (including items classified under special access procedures) and an analysis of—

(A) any equipment or capabilities that were in research and development and if available could have been used in these operations' respective theater of operations;

(B) any equipment or capabilities that were available and could have been used but were not introduced into these operations' respective theater of operations; and

(C) any equipment or capabilities that were introduced to these operations' respective theater of operations that could have been used but were not.

(7) Command, control, communications and operational security of NATO forces as a whole and United States forces separately during Operation Allied Force, including the ability of United States aircraft to operate with aircraft of other nations without degradation of capabilities or protection of United States forces.

(8) The deployment of United States forces and supplies to the theater of operations, including an assessment of airlift and sealift (to include a specific assessment of the deployment of Task Force Hawk during Operation Allied Force, to include detailed explanations for the delay in initial deployment, the suitability of equipment deployed compared to other equipment in the U.S. inventory that was not deployed, and a critique of the training provided to operational personnel prior to and during the deployment).

(9) The use of electronic warfare assets, in particular an assessment of the adequacy of EA–6B aircraft in terms of inventory, capabilities, deficiencies, and ability to provide logistics support.

(10) The effectiveness of reserve component forces including their use and performance in the theater of operations.

(11) The contributions of United States (and with respect to Operation Allied Force, NATO) intelligence and counterintelligence systems and personnel, including an assessment of the targeting selection and bomb damage assessment process.

(c) The report should also contain:

(1) An analysis of the transfer of operational assets from other United States Unified Commands to these operations' theater of operations and the impact on the readiness, warfighting capability and deterrence value of those commands.

(2) An analysis of the implications of these operations as regards the ability of United States armed forces and intelligence capabilities to carry out the current national security strategy, including—

(A) whether the Department of Defense and its components, and the intelligence community and its components, have sufficient force structure and manning as well as equipment (to include items such as munitions stocks) to deploy, prosecute and sustain operations in a second major theater of war as called for under the current national security strategy;

(B) which, if any aspects, of currently programmed manpower, operations, training and other readiness programs, and weapons and other systems are found to be inadequate in terms of supporting the national military strategy; and

(C) what adjustments need to be made to current defense planning and budgets, and specific programs to redress any deficiencies identified by this analysis.

SEC. 8126. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either (1) rendered incapable of reuse by the demilitarization process or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8127. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under 10 U.S.C. 2667, in the case of a lease of personal property for a period not in excess of one year to any organization specified in 32 U.S.C. 508(d), or any other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8128. In the current fiscal year and hereafter, funds appropriated for the Pacific Disaster Center may be obligated to carry out such missions as the Secretary of Defense may specify for disaster information management and related supporting activities in the geographic area of responsibility of the Commander in Chief, Pacific and beyond in support of a global disaster information network: Provided, That the Secretary may enable the Pacific Disaster Center and its derivatives to enter into flexible public-private cooperative arrangements for the delegation or implementation of some or all of its missions and accept and provide grants, or other remuneration to or from any agency of the Federal government, state or local government, private source or foreign government to carry out any of its activities: Provided further, That the Pacific Disaster Center may not accept any remuneration or provide any service or grant which could compromise national security.

SEC. 8129. Notwithstanding any other provision in this Act, the total amount appropriated in Title I of this Act is hereby reduced by $1,838,426,000 to reflect amounts appropriated in Public Law 106–31. This amount is to be distributed as follows:

''Military Personnel, Army'', $559,533,000;

''Military Personnel, Navy'', $436,773,000;

''Military Personnel, Marine Corps'', $177,980,000;

''Military Personnel, Air Force'', $471,892,000;

''Reserve Personnel, Army'', $40,574,000;

''Reserve Personnel, Navy'', $29,833,000;

''Reserve Personnel, Marine Corps'', $7,820,000;

''Reserve Personnel, Air Force'', $13,143,000;

''National Guard Personnel, Army'', $70,416,000; and

''National Guard Personnel, Air Force'', $30,462,000.

SEC. 8130. Notwithstanding any other provision of law, that not more than thirty-five per centum of funds provided in this Act, may be obligated for environmental remediation under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8131. Of the funds made available under the heading ''Operation and Maintenance, Air Force'', $5,000,000 shall be transferred to the Department of Transportation to enable the Secretary of Transportation to realign railroad track on Elmendorf Air Force Base.

SEC. 8132. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8133. MULTI-YEAR AIRCRAFT LEASE PILOT PROGRAM. (a) The Secretary of the Air Force may establish a multi-year pilot program for leasing aircraft for operational support purposes, including transportation for the combatant Commanders in Chief, on such terms and conditions as the Secretary may deem appropriate, consistent with this Section.

(b) Sections 2401 and 2401a of Title 10, United States Code shall not apply to any aircraft lease authorized by this Section.

(c) Under the aircraft lease Pilot Program authorized by this Section:

(1) The Secretary may include terms and conditions in lease agreements that are customary in aircraft leases by a non-government lessor to a non-government lessee.

(2) The term of any individual lease agreement into which the Secretary enters under this section shall not exceed ten years.

(3) The Secretary may provide for special payments to a lessor if either the Secretary terminates or cancels the lease prior to the expiration of its term or aircraft are damaged or destroyed prior to the expiration of the term of the lease. Such special payments shall not exceed an amount equal to the value of one year's lease payment under the lease. The amount of special payments shall be subject to negotiation between the Air Force and lessors.

(4) Notwithstanding any other provision of law, any payments required under a lease under this Section, and any payments made pursuant to Subsection (3) above may be made from:

(A) Appropriations available for the performance of the lease at the time the lease takes effect;

(B) Appropriations for the operation and maintenance available at the time which the payment is due; and

(C) Funds appropriated for those payments.

(5) The Secretary may lease aircraft, on such terms and conditions as the Secretary may deem appropriate, consistent with this section, through an operating lease consistent with OMB Circular A–11.

(6) The Secretary may exchange or sell existing aircraft and apply the exchange allowance or sale proceeds in whole or in part toward the cost of leasing replacement aircraft under this Section.

(7) Lease arrangements authorized by this Section may not commence until:

(A) The Secretary submits a report to the congressional defense committees outlining the plans for implementing the Pilot Program. The Report shall describe the terms and conditions of proposed contracts and the savings in operations and support costs expected to be derived from retiring older aircraft as compared to the expected cost of leasing newer replacement aircraft; and

(B) A period of not less than 30 calendar days has elapsed after submitting the Report.

(8) Not later than one year after the date on which the first aircraft is delivered under this Pilot Program, and yearly thereafter on the anniversary of the first delivery, the Secretary shall submit a report to the congressional defense committees describing the status of the Pilot Program. The Report will be based on at least six months of experience in operating the Pilot Program.

(9) No lease of operational support aircraft may be entered into under this Section after September 30, 2004.

(d) The authority granted to the Secretary of the Air Force by this Section is separate from and in addition to, and shall not be construed to impair or otherwise affect, the authority of the Secretary to procure transportation or enter into leases under a provision of law other than this section.

(e) The authority provided under this section may be used to lease not more than a total of six (6) aircraft for the purposes of providing operational support.

SEC. 8134. Notwithstanding any other provision in this Act, the total amount appropriated in this Act for ''Operation and Maintenance, Air Force'' is hereby reduced by $100,000,000 to reflect supplemental appropriations provided under Public Law 106–31 for Readiness/Munitions.

SEC. 8135. Section 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note), is amended—

(1) by striking ''not later than June 30, 1997,''; and

(2) by striking ''$1,000,000'' and inserting ''$500,000''.

SEC. 8136. None of the funds provided for the Joint Warfighting Experimentation Program may be obligated until the Vice Chairman of the Joint Chiefs of Staff reports to the congressional defense committees on the role and participation of all unified and specified commands in the Joint Warfighting Experimentation Program.

SEC. 8137. In addition to the amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense, $5,000,000, to remain available until September 30, 2000 is hereby appropriated to the Department of Defense: Provided, That the Secretary of Defense shall make a grant in the amount of $5,000,000 to the American Red Cross for Armed Forces Emergency Services.

SEC. 8138. The Department of the Army is directed to conduct a live fire, side-by-side operational test of the air-to-air Starstreak and air-to-air Stinger missiles from the AH–64D Longbow helicopter. The operational test is to be completed utilizing funds provided for in this Act in addition to funding provided for this purpose in the Fiscal Year 1999 Defense Appropriations Act (P.L. 105–262): Provided, That notwithstanding any other provision of law, the Department is to ensure that the development, procurement or integration of any missile for use on the AH–64 or RAH–66 helicopters, as an air-to-air missile, is subject to a full and open competition which includes the conduct of a live-fire, side-by-side test as an element of the source selection criteria: Provided further, That the Under Secretary of Defense (Acquisition & Technology) will conduct an independent review of the need, and the merits of acquiring an air-to-air missile to provide self-protection for the AH–64 and RAH–66 from the threat of hostile forces. The Secretary is to provide his findings in a report to the congressional defense committees, no later than March 31, 2000.

SEC. 8139. During the current fiscal year, under regulations prescribed by the Secretary of Defense, the Center of Excellence for Disaster Management and Humanitarian Assistance may also pay, or authorize payment for, the expenses of providing or facilitating education and training for appropriate military and civilian personnel of foreign countries in disaster management and humanitarian assistance: Provided, That not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report regarding the training of foreign personnel conducted under this authority during the preceding fiscal year for which expenses were paid under the section: Provided further, That the report shall specify the countries in which the training was conducted, the type of training conducted, and the foreign personnel trained.

SEC. 8140. Of the funds appropriated in title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' for the Office of the Special Assistant to the Deputy Secretary of Defense for Gulf War Illnesses, up to $10,000,000 may be made available for carrying out the first-year actions under the 5-year research plan outlined in the report entitled ''Department of Defense Strategy to Address Low-Level Exposures to Chemical Warfare Agents (CWAs)'', dated May 1999, that was submitted to committees of Congress pursuant to section 247(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1957).

SEC. 8141. (a) The Department of Defense is authorized to enter into agreements with the Veterans Administration and federally-funded health agencies providing services to Native Hawaiians for the purpose of establishing a partnership similar to the Alaska Federal Health Care Partnership, in order to maximize Federal resources in the provision of health care services by federally-funded health agencies, applying telemedicine technologies. For the purpose of this partnership, Native Hawaiians shall have the same status as other Native Americans who are eligible for the health care services provided by the Indian Health Service.

(b) The Department of Defense is authorized to develop a consultation policy, consistent with Executive Order 13084 (issued May 14, 1998), with Native Hawaiians for the purpose of assuring maximum Native Hawaiian participation in the direction and administration of governmental services so as to render those services more responsive to the needs of the Native Hawaiian community.

(c) For purposes of this section, the term ''Native Hawaiian'' means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii.

SEC. 8142. None of the funds appropriated or otherwise made available by this or any other Act may be made available for reconstruction activities in the Republic of Serbia (excluding the province of Kosovo) as long as Slobodan Milosevic remains the President of the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 8143. In addition to the amounts provided elsewhere in this Act, the amount of $5,000,000 is hereby appropriated for ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', to be available, notwithstanding any other provision of law, only for a grant to the United Service Organizations Incorporated, a federally chartered corporation under chapter 2201 of title 36, United States Code. The grant provided for by this section is in addition to any grant provided for under any other provision of law.

SEC. 8144. None of the funds in this Act shall be available to initiate a multiyear procurement contract for the Abrams M1A2 Tank Upgrade Program until 30 days after the Department of the Army has submitted a report to Congress detailing its efforts to reduce the costs of the tank upgrade program, to include the effects and potential savings that would result from any alternate fixed price or fixed quantity option contracts.

SEC. 8145. The multi-year authority for the C–17 granted in this Act shall become effective once the Secretary of the Air Force certifies to the congressional defense committees that the average unit flyaway price of C–17 aircraft P121 through P180 purchased under a multi-year contract will be at least twenty-five (25) percent below the average unit flyaway price of the C–17 under the current 80 aircraft multiyear procurement program, with both prices calculated in fiscal year 1999 dollars.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8146. (a) In addition to amounts appropriated elsewhere in this Act, $1,000,000,000 is hereby appropriated for the F–22 program: Provided, That these funds shall only be available for transfer to the appropriate F–22 program R–1 and P–1 line items of Titles IV and III of this Act for the purposes of F–22 program research, development, test and evaluation, and advance procurement: Provided further, That of this amount, not more than $277,100,000 may be transferred to the ''Aircraft Procurement, Air Force'' account only for advance procurement of F–22 aircraft: Provided further, That any funds transferred for F–22 advance procurement shall not be available for obligation until the Secretary of Defense certifies to the congressional defense committees that all 1999 Defense Acquisition Board exit criteria have been met: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority contained elsewhere in this Act.

(b) Notwithstanding any other provision of law, the Secretary of Defense may use funds provided under this section and transferred to Titles IV and III of this Act to continue acquisition of F–22 test aircraft for which procurement funding has been previously provided.

(c) The Secretary of the Air Force shall adjust the amounts of the limitations set forth in subsections (a) and (b) of section 217, Public Law 105–85 accordingly, and may modify any F–22 contracts to implement the requirements of this section.

(d) Funds appropriated in this Act or any other prior Act for ''Research, Development, Test and Evaluation, Air Force'' and ''Aircraft Procurement, Air Force'' may not be used for acquisition of more than a total of 17 flight-capable test vehicles for the F–22 aircraft program.

(e) The Secretary of the Air Force may not award a full funding contract for low-rate initial production for the F–22 aircraft program until—

(1) the first flight of an F–22 aircraft incorporating Block 3.0 software has been conducted;

(2) the Secretary of Defense certifies to the congressional defense committees that all Defense Acquisition Board exit criteria for the award of low-rate initial production of the aircraft have been met; and

(3) upon completion of the requirements under (e)(1) and (e)(2) the Director of Operational Test and Evaluation submits to the congressional defense committees a report assessing the adequacy of testing to date to measure and predict performance of F–22 avionics systems, stealth characteristics, and weapons delivery systems.

(f) The funds transferred under the authority provided within this section shall be merged with and shall be available for the same purposes, and for the same time period, as the appropriation to which transferred.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8147. (a) In addition to the amounts appropriated elsewhere in this Act, $300,000,000 is hereby appropriated for F–22 program termination liability or for other F–22 program contractual requirements in lieu of termination liability obligations: Provided, That these funds shall only be available for transfer to the appropriate F–22 program R–1 and P–1 line items of Titles IV and III of this Act for the purposes specified in this section: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority contained elsewhere in this Act: Provided further, That these funds shall not be available for expenditure until October 1, 2000.

(b) The funds transferred under the authority provided within this section shall be merged with and shall be available for the same purposes, and for the same time period, as the appropriation to which transferred.

SEC. 8148. In addition to the amounts provided elsewhere in this Act, the amount of $5,500,000 is hereby appropriated for ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', to be available, notwithstanding any other provision of law, only for a grant to the High Desert Partnership in Academic Excellence Foundation, Inc., for the purpose of developing, implementing, and evaluating a standards and performance based academic model at schools administered by the Department of Defense Education Activity.

SEC. 8149. None of the funds appropriated in this Act may be used for the payment of a fine or penalty that is imposed against the Department of Defense or a military department arising from an environmental violation at a military installation or facility unless the payment of the fine or penalty has been specifically authorized by law. For purposes of this section, expenditure of funds to carry out a supplemental environmental project that is required to be carried out as part of such a penalty shall be considered to be a payment of the penalty.

SEC. 8150. Section 8145 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2340), is amended by inserting before the period at the end the following: '', and for such additional environmental restoration activities at such former base as may be accomplished within such total amount''.

SEC. 8151. Of the funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'', up to $5,000,000 shall be available to provide assistance, by grant or otherwise, to public school systems that have unusually high concentrations of special needs military dependents enrolled: Provided, That in selecting school systems to receive such assistance, special consideration shall be given to school systems in states that are considered overseas assignments.

SEC. 8152. Funds appropriated by the paragraph under the heading ''MILITARY CONSTRUCTION TRANSFER FUNDS'' in the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 85) may be transferred to military construction accounts, as authorized by that paragraph, and shall be merged with and shall be available for the same purposes and for the same time period as the account to which transferred.

SEC. 8153. Section 127 of the Military Construction Appropriations Act, 1995 (Public Law 103–307; 108 Stat. 1666) is amended—

(1) in subsection (B)(1), by striking ''an amount'' and all that follows and inserting ''$3,400,000.''; and

(2) by adding at the end the following:

''(i) COMPLETION OF CONVEYANCE BY END OF FISCAL YEAR 2000.—The Secretary shall endeavor to complete any conveyance under this section not later than September 30, 2000.''.

SEC. 8154. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Operation and Maintenance, Army'' shall be available for expenses associated with characterization and remediation activities at the Massachusetts Military Reservation, Cape Cod, Massachusetts, resulting from environmental problems pertaining to use of Camp Edwards as a training range and impact area and any administrative orders issued by the U.S. Environmental Protection Agency to address those problems.

SEC. 8155. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(b) PROCESSING OF REQUESTS.—The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota.

(c) The Operation Walking Shield program shall resolve any conflicts among request of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under paragraph (b).

(d) INDIAN TRIBE DEFINED.—In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of Interior under Section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; U.S.C. 479a–1).

SEC. 8156. Of the amounts appropriated in the Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $45,000,000 shall be available for the purpose of adjusting the cost-share of the parties under the Agreement between the Department of Defense and the Ministry of Defence of Israel for the Arrow Deployability Program.

SEC. 8157. The Secretary of Defense shall fully identify and determine the validity of healthcare contract additional liabilities, requests for equitable adjustment, and claims for unanticipated healthcare contract costs: Provided, That the Secretary of Defense shall establish an equitable and timely process for the adjudication of claims, and recognize actual liabilities during the Department's planning, programming and budgeting process, including fiscal year 2000 supplemental appropriation requests if appropriate: Provided further, That not later than December 1, 1999, the Secretary of Defense shall submit a report to the congressional defense committees on the scope and extent of healthcare contract claims, and on the action taken to implement the provisions of this section: Provided further, That nothing in this section should be construed as congressional direction to liquidate or pay any claims that otherwise would not have been adjudicated in favor of the claimant.

SEC. 8158. Of the funds appropriated in title II of this Act under the heading ''Operation and Maintenance, Defense-Wide'', $8,000,000 shall be available only for a community retraining, reinvestment, and manufacturing initiative to be conducted by an academic consortia with existing programs in manufacturing and retraining: Provided, That the $8,000,000 made available in this section shall be obligated by grant not later than fifteen days after enactment of this Act.

SEC. 8159. (a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the management of the chemical weapons demilitarization program.

(b) REPORT ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description and assessment of the current management structure of the chemical weapons demilitarization program, including the management of the assembled chemical weapons assessment (ACWA) program.

(2) An assessment of the feasibility and advisability for the management of the chemical weapons demilitarization program of the assignment of a panel for oversight of the management of program, which panel would—

(A) consist of officials of the Department of Defense and of other departments and agencies of the Federal Government having an interest in the safe and timely demilitarization of chemical weapons; and

(B) prepare annual reports on the schedule, cost, and effectiveness of the program.

(3) Any other matters relating to the management of the chemical weapons demilitarization program, including the improvement of the management of the program, that the Secretary considers appropriate.

SEC. 8160. Notwithstanding any other provision of law, all military construction projects for which funds were appropriated in Public Law 106–52 are hereby authorized.

SEC. 8161. The Secretary of Defense may treat the opening of the National D-Day Museum in New Orleans, Louisiana, as an official event of the Department of Defense for the purposes of the provision of support for ceremonies and activities related to that opening.

SEC. 8162. DWIGHT D. EISENHOWER MEMORIAL.

(a) FINDINGS.—Congress finds that—

(1) the people of the United States feel a deep debt of gratitude to Dwight D. Eisenhower, who served as Supreme Commander of the Allied Forces in Europe in World War II and subsequently as 34th President of the United States; and

(2) an appropriate permanent memorial to Dwight D. Eisenhower should be created to perpetuate his memory and his contributions to the United States.

(b) COMMISSION.—There is established a commission to be known as the ''Dwight D. Eisenhower Memorial Commission'' (referred to in this section as the ''Commission'').

(c) MEMBERSHIP.—The Commission shall be composed of—

(1) 4 persons appointed by the President, not more than two of whom may be members of the same political party;

(2) 4 Members of the Senate appointed by the President Pro Tempore of the Senate in consultation with the Majority Leader and Minority Leader of the Senate, of which not more

than two appointees may be members of the same political party; and

(3) 4 Members of the House of Representatives appointed by the Speaker of the House of Representatives in consultation with the Majority Leader and Minority Leader of the House, of which not more than two appointees may be members of the same political party.

(d) CHAIR AND VICE CHAIR.—The members of the Commission shall select a Chair and Vice Chair of the Commission. The Chair and Vice Chair shall not be members of the same political party.

(e) VACANCIES.—Any vacancy in the Commission shall not affect its powers if a quorum is present, but shall be filled in the same manner as the original appointment.

(f) MEETINGS.—

(1) INITIAL MEETING.—Not later than 45 days after the date on which a majority of the members of the Commission have been appointed, the Commission shall hold its first meeting.

(2) SUBSEQUENT MEETINGS.—The Commission shall meet at the call of the Chair.

(g) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number of members may hold hearings.

(h) NO COMPENSATION.—A member of the Commission shall serve without compensation, but may be reimbursed for expenses incurred in carrying out the duties of the Commission.

(i) DUTIES.—The Commission shall consider and formulate plans for such a permanent memorial to Dwight D. Eisenhower, including its nature, design, construction, and location.

(j) POWERS.—The Commission may—

(1) make such expenditures for services and materials for the purpose of carrying out this section as the Commission considers advisable from funds appropriated or received as gifts for that purpose;

(2) accept gifts to be used in carrying out this section or to be used in connection with the construction or other expenses of the memorial; and

(3) hold hearings, enter into contracts for personal services and otherwise, and do such other things as are necessary to carry out this section.

(k) REPORTS.—The Commission shall—

(1) report the plans under subsection (i), together with recommendations, to the President and Congress at the earliest practicable date; and

(2) in the interim, make annual reports on its progress to the President and Congress.

(l) APPLICABILITY OF OTHER LAWS.—The Federal Advisory Committee Act (5 U.S.C. App) shall not apply to the Commission.

(m) APPROPRIATION OF FUNDS.—In addition to amounts provided elsewhere in this Act, there is appropriated to the Commission $300,000, to remain available until expended.

SEC. 8163. (a) The Secretary of the Air Force may accept contributions from the State of New York for the project at Rome Research Site, Rome, New York authorized in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2000, for purposes of carrying out military construction relating to the consolidation of Air Force Research Laboratory facilities at the Rome Research Site, Rome, New York. Any contributions received from the State of New York shall be in addition to the funds authorized for the project in section 2304(a)(1) of the National Defense Authorization Act for Fiscal Year 2000.

(b) The item for ''New York, Rome Research Site'', in the table in Section 2301(a) of the National Defense Authorization Act for Fiscal Year 2000 is amended by striking ''12,800,000'' and inserting in lieu thereof ''25,800,000''.

SEC. 8164. Chapter 1 of title I of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–553) is amended in the paragraph under the heading ''Operation and Maintenance, Defense-Wide'' by inserting before the period at the end the following: '': Provided further, That an amount not to exceed $75,000,000 of the funds provided under this heading shall remain available without fiscal year limitation after transfer from this account: Provided further, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer the funds referred to in the immediately preceding proviso to other activities of the Federal Government pursuant to section 1535 of title 31, United States Code (referred to as the 'Economy Act')''.

SEC. 8165. REVIEW OF LOW DENSITY, HIGH DEMAND ASSETS. (a) REPORT TO CONGRESSIONAL DEFENSE COMMITTEES.—The Secretary of Defense shall submit to the congressional defense committees a report assessing the requirements, plans, and resources needed to maintain, update, modernize, restore, and expand the Department of Defense fleet of specialized aircraft and related equipment commonly described as ''Low Density, High Demand Assets''. The report shall be submitted no later than May 15, 2000 and shall be submitted in both classified and unclassified versions.

(b) ASSETS TO BE COVERED.—The report shall cover the following aircraft and equipment:

(1) Electronic warfare aircraft and specialized jamming equipment.

(2) Intelligence, surveillance, and reconnaissance (ISR) platforms and major systems, including—

(A) U–2 aircraft;

(B) AWACS aircraft;

(C) JSTARS aircraft;

(D) RIVET JOINT aircraft;

(E) tactical unmanned aerial vehicles (UAVs);

(F) interoperable/secure communications;

(G) command and control systems;

(H) new data links; and

(I) data fusion capability.

(3) Strategic and tactical airlift aircraft.

(4) Aerial refueling aircraft.

(5) Strategic bomber aircraft.

(c) REPORT ELEMENTS.—The report shall include for each asset specified in subsection (b) the following:

(1) A description of—

(A) inventory, age, capabilities, current deficiencies, usage rates, current and remaining service life, and expected rates of fatigue;

(B) ability to provide logistical support;

(C) planned replacement dates; and

(D) number of sorties, percentage of inventory used, and overall effectiveness in Operation Desert Fox and in Operation Allied Force.

(2) A comparison of the Department's plans and resource requirements to update, replace, modernize, or restore the asset as contained in the Future Years Defense Plan for fiscal year 2000 with those plans and resource requirements for that asset as contained in the Future Years Defense Plan for fiscal year 2001, and an explanation for any significant difference in those plans and requirements.

(3) A detailed listing, by fiscal year, of—

(A) the total amount required to fulfill mission needs statements and documented inventory objectives for the asset in order to improve critical warfighting capabilities over the next 10 years; and

(B) of that total amount for each such year, the portion (stated as an amount and as a percentage) that is not included in the fiscal year 2001 Future Years Defense Plan.

SEC. 8166. Of the funds appropriated in Title II of this Act under the heading ''Operation and Maintenance, Army'', $5,000,000 shall be available only for a grant to the Chicago Public Schools for conversion and expansion of the former Eighth Regiment National Guard Armory (Bronzeville).

SEC. 8167. Notwithstanding any other provision of law, $10,000,000, is hereby appropriated and authorized for ''Military Construction, Army National Guard'', to remain available until September 30, 2004, for construction, and, contributions therefor, of an Army Aviation Support Facility at West Bend, Wisconsin.

SEC. 8168. (a) PURPOSE.—The purpose of this section is to evaluate and demonstrate methods for more efficient operation of military installations through improved capital asset management and greater reliance on the public or private sector for less-costly base support services, where available.

(b) AUTHORITY.—(1) The Secretary of the Air Force may carry out at Brooks Air Force Base, Texas, a demonstration project to be known as the ''Base Efficiency Project'' to improve mission effectiveness and reduce the cost of providing quality installation support at Brooks Air Force Base.

(2) The Secretary may carry out the Project in consultation with the Community to the extent the Secretary determines such consultation is necessary and appropriate.

(3) The authority provided in this section is in addition to any other authority vested in or delegated to the Secretary, and the Secretary may exercise any authority or combination of authorities provided under this section or elsewhere to carry out the purposes of the Project.

(c) EFFICIENT PRACTICES.—(1) The Secretary may convert services at or for the benefit of the Base from accomplishment by military personnel or by Department civilian employees (appropriated fund or non-appropriated fund), to services performed by contract or provided as consideration for the lease, sale, or other conveyance or transfer of property.

(2) Notwithstanding section 2462 of title 10, United States Code, a contract for services may be awarded based on ''best value'' if the Secretary determines that the award will advance the purposes of a joint activity conducted under the Project and is in the best interest of the Department.

(3) Notwithstanding that such services are generally funded by local and State taxes and provided without specific charge to the public at large, the Secretary may contract for public services at or for the benefit of the Base in exchange for such consideration, if any, the Secretary determines to be appropriate.

(4)(A) The Secretary may conduct joint activities with the Community, the State, and any private parties or entities on or for the benefit of the Base.

(B) Payments or reimbursements received from participants for their share of direct and indirect costs of joint activities, including the costs of providing, operating, and maintaining facilities, shall be in an amount and type determined to be adequate and appropriate by the Secretary.

(C) Such payments or reimbursements received by the Department shall be deposited into the Project Fund.

(d) LEASE AUTHORITY.—(1) The Secretary may lease real or personal property located on the Base and not required at other Air Force installations to any lessee upon such terms and conditions as the Secretary considers appropriate and in the interest of the United States, if the Secretary determines that the lease would facilitate the purposes of the Project.

(2) Consideration for a lease under this subsection shall be determined in accordance with subsection (g).

(3) A lease under this subsection—

(A) may be for such period as the Secretary determines is necessary to accomplish the goals of the Project; and

(B) may give the lessee the first right to purchase the property at fair market value if the

lease is terminated to allow the United States to sell the property under any other provision of law.

(4)(A) The interest of a lessee of property leased under this subsection may be taxed by the State or the Community.

(B) A lease under this subsection shall provide that, if and to the extent that the leased property is later made taxable by State governments or local governments under Federal law, the lease shall be renegotiated.

(5) The Department may furnish a lessee with utilities, custodial services, and other base operation, maintenance, or support services performed by Department civilian or contract employees, in exchange for such consideration, payment, or reimbursement as the Secretary determines appropriate.

(6) All amounts received from leases under this subsection shall be deposited into the Project Fund.

(7) A lease under this subsection shall not be subject to the following provisions of law:

(A) Section 2667 of title 10, United States Code, other than subsection (b)(1) of that section.

(B) Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(C) The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(e) PROPERTY DISPOSAL.—(1) The Secretary may sell or otherwise convey or transfer real and personal property located at the Base to the Community or to another public or private party during the Project, upon such terms and conditions as the Secretary considers appropriate for purposes of the Project.

(2) Consideration for a sale or other conveyance or transfer of property under this subsection shall be determined in accordance with subsection (g).

(3) The sale or other conveyance or transfer of property under this subsection shall not be subject to the following provisions of law:

(A) Section 2693 of title 10, United States Code.

(B) The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(4) Cash payments received as consideration for the sale or other conveyance or transfer of property under this subsection shall be deposited into the Project Fund.

(f) LEASEBACK OF PROPERTY LEASED OR DISPOSED.—(1) The Secretary may lease, sell, or otherwise convey or transfer real property at the Base under subsections (b) and (e), as applicable, which will be retained for use by the Department or by another military department or other Federal agency, if the lessee, purchaser, or other grantee or transferee of the property agrees to enter into a leaseback to the Department in connection with the lease, sale, or other conveyance or transfer of one or more portions or all of the property leased, sold, or otherwise conveyed or transferred, as applicable.

(2) A leaseback of real property under this subsection shall be an operating lease for no more than 20 years unless the Secretary of the Air Force determines that a longer term is appropriate.

(3)(A) Consideration, if any, for real property leased under a leaseback entered into under this subsection shall be in such form and amount as the Secretary considers appropriate.

(B) The Secretary may use funds in the Project Fund or other funds appropriated or otherwise available to the Department for use at the Base for payment of any such cash rent.

(4) Notwithstanding any other provision of law, the Department or other military department or other Federal agency using the real property leased under a leaseback entered into under this subsection may construct and erect facilities on or otherwise improve the leased property using funds appropriated or otherwise available to the Department or other military department or other Federal agency for such purpose.

(g) CONSIDERATION.—(1) The Secretary shall determine the nature, value, and adequacy of consideration required or offered in exchange for a lease, sale, or other conveyance or transfer of real or personal property or for other actions taken under the Project.

(2) Consideration may be in cash or in-kind or any combination thereof. In-kind consideration may include the following:

(A) Real property.

(B) Personal property.

(C) Goods or services, including operation, maintenance, protection, repair, or restoration (including environmental restoration) of any property or facilities (including non-appropriated fund facilities).

(D) Base operating support services.

(E) Improvement of Department facilities.

(F) Provision of facilities, including office, storage, or other usable space, for use by the Department on or off the Base.

(G) Public services.

(3) Consideration may not be for less than the fair market value.

(h) PROJECT FUND.—(1) There is established on the books of the Treasury a fund to be known as the ''Base Efficiency Project Fund'' into which all cash rents, proceeds, payments, reimbursements, and other amounts from leases, sales, or other conveyances or transfers, joint activities, and all other actions taken under the Project shall be deposited. All amounts deposited into the Project Fund are without fiscal year limitation.

(2) Amounts in the Project Fund may be used only for operation, base operating support services, maintenance, repair, or improvement of Department facilities, payment of consideration for acquisitions of interests in real property (including payment of rentals for leasebacks), and environmental protection or restoration, in addition to or in combination with other amounts appropriated for these purposes.

(3) Subject to generally prescribed financial management regulations, the Secretary shall establish the structure of the Project Fund and such administrative policies and procedures as the Secretary considers necessary to account for and control deposits into and disbursements from the Project Fund effectively.

(4) All amounts in the Project Fund shall be available for use for the purposes authorized in paragraph (2) at the Base.

(i) FEDERAL AGENCIES.—(1)(A) Any Federal agency, its contractors, or its grantees shall pay rent, in cash or services, for the use of facilities or property at the Base, in an amount and type determined to be adequate by the Secretary.

(B) Such rent shall generally be the fair market rental of the property provided, but in any case shall be sufficient to compensate the Base for the direct and overhead costs incurred by the Base due to the presence of the tenant agency on the Base.

(2) Transfers of real or personal property at the Base to other Federal agencies shall be at fair market value consideration. Such consideration may be paid in cash, by appropriation transfer, or in property, goods, or services.

(3) Amounts received from other Federal agencies, their contractors, or grantees, including any amounts paid by appropriation transfer, shall be deposited in the Project Fund.

(j) REPORTS TO CONGRESS.—(1) Section 2662 of title 10, United States Code, shall not apply to transactions at the Base during the Project.

(2)(A) Not later than March 1 each year, the Secretary shall submit to the appropriate committees of Congress a report on any transactions at the Base during the preceding fiscal year that would be subject to such section 2662.

(B) The report shall include a detailed cost analysis of the financial savings and gains realized through joint activities and other actions under the Project authorized by this section and a description of the status of the Project.

(k) LIMITATION.—None of the authorities in this section shall create any legal rights in any person or entity except rights embodied in leases, deeds, or contracts.

(l) EXPIRATION OF AUTHORITY.—The authority to enter into a lease, deed, permit, license, contract, or other agreement under this section shall expire on September 30, 2004.

(m) DEFINITIONS.—In this section:

(1) The term ''Project'' means the Base Efficiency Project authorized by this section.

(2) The term ''Base'' means Brooks Air Force Base, Texas.

(3) The term ''Community'' means the City of San Antonio, Texas.

(4) The term ''Department'' means the Department of the Air Force.

(5) The term ''facility'' means a building, structure, or other improvement to real property (except a military family housing unit as that term is used in subchapter IV of chapter 169 of title 10, United States Code).

(6) The term ''joint activity'' means an activity conducted on or for the benefit of the Base by the Department, jointly with the Community, the State, or any private entity, or any combination thereof.

(7) The term ''Project Fund'' means the Base Efficiency Project Fund established by subsection (h).

(8) The term ''public services'' means public services (except public schools, fire protection, and police protection) that are funded by local and State taxes and provided without specific charge to the public at large.

(9) The term ''Secretary'' means the Secretary of the Air Force or the Secretary's designee, who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate.

(10) The term ''State'' means the State of Texas.

(n) The authorities provided in this section shall not take effect until June 15, 2000.

SEC. 8169. Notwithstanding any other provision of this Act, the total amount appropriated in this Act is hereby reduced by $400,000,000, to be distributed as follows:

''Operation and Maintenance, Army'', $115,000,000;

''Operation and Maintenance, Navy'', $150,000,000;

''Operation and Maintenance, Marine Corps'', $20,000,000; and

''Operation and Maintenance, Air Force'', $115,000,000:

Provided, That of the unobligated amounts made available in Section 2008 of title II, chapter 3 of Public Law 106–31, $400,000,000 shall be made available only for depot level maintenance and repair, as follows:

''Operation and Maintenance, Army'', $115,000,000;

''Operation and Maintenance, Navy'', $150,000,000;

''Operation and Maintenance, Marine Corps'', $20,000,000; and

''Operation and Maintenance, Air Force'', $115,000,000.

SEC. 8170. Notwithstanding any other provision of this Act, the total amount appropriated in this Act is hereby reduced by $550,000,000, to be distributed as follows:

''Operation and Maintenance, Army'', $170,000,000;

''Operation and Maintenance, Navy'', $170,000,000;

''Operation and Maintenance, Marine Corps'', $40,000,000; and

''Operation and Maintenance, Air Force'', $170,000,000:

Provided, That of the unobligated amounts made available in Section 2007 of title II, chapter 3 of Public Law 106–31, $550,000,000 shall be made available only for spare and repair parts and associated logistical support necessary for the maintenance of weapons systems and equipment, as follows:

''Operation and Maintenance, Army'', $170,000,000;

''Operation and Maintenance, Navy'', $170,000,000;

''Operation and Maintenance, Marine Corps'', $40,000,000; and

''Operation and Maintenance, Air Force'', $170,000,000.

SEC. 8171. Notwithstanding any other provision of this Act, the total amount appropriated in this Act is hereby reduced by $100,000,000, to be distributed as follows:

''Operation and Maintenance, Army'', $60,000,000;

''Operation and Maintenance, Navy'', $20,000,000; and

''Operation and Maintenance, Air Force'', $20,000,000:

Provided, That of the unobligated amounts made available in Section 2011 of title II, chapter 3 of Public Law 106–31, $100,000,000 shall be made available only for base operations support costs at Department of Defense facilities, as follows:

''Operation and Maintenance, Army'', $60,000,000;

''Operation and Maintenance, Navy'', $20,000,000; and

''Operation and Maintenance, Air Force'', $20,000,000.

SEC. 8172. Notwithstanding any other provision of this Act, the total amount appropriated in this Act is hereby reduced by $356,400,000, to be distributed as follows:

''Weapons Procurement, Navy'', $50,900,000;

''Procurement of Ammunition, Navy and Marine Corps'', $113,500,000;

''Aircraft Procurement, Air Force'', $20,800,000; and

''Procurement of Ammunition, Air Force'', $171,200,000:

Provided, That the Secretary of Defense shall allocate these reductions to reflect savings available as a result of the increased procurement of munitions resulting from funds made available in Title II, chapter 3 of Public Law 106–31.

SEC. 8173. (a) Notwithstanding any other provision of this Act, amounts otherwise provided by this Act in title II for the following accounts and activities are reduced by the following amounts:

''Operation and Maintenance, Army'', $1,572,947,000;

''Operation and Maintenance, Navy'', $1,874,598,000;

''Operation and Maintenance, Marine Corps'', $228,709,000;

''Operation and Maintenance, Air Force'', $1,707,150,000;

''Operation and Maintenance, Defense-Wide'', $939,341,000;

''Operation and Maintenance, Army Reserve'', $120,072,000;

''Operation and Maintenance, Navy Reserve'', $77,598,000;

''Operation and Maintenance, Marine Corps Reserve'', $11,346,000;

''Operation and Maintenance, Air Force Reserve'', $145,393,000;

''Operation and Maintenance, Army National Guard'', $258,115,000;

''Operation and Maintenance, Air National Guard'', $264,731,000;

in all: $7,200,000,000.

(b) In addition to amounts appropriated elsewhere in this Act there are hereby appropriated the following amounts for the following accounts:

''Operation and Maintenance, Army'', $1,572,947,000;

''Operation and Maintenance, Navy'', $1,874,598,000;

''Operation and Maintenance, Marine Corps'', $228,709,000;

''Operation and Maintenance, Air Force'', $1,707,150,000;

''Operation and Maintenance, Defense-Wide'', $939,341,000;

''Operation and Maintenance, Army Reserve'', $120,072,000;

''Operation and Maintenance, Navy Reserve'', $77,598,000;

''Operation and Maintenance, Marine Corps Reserve'', $11,346,000;

''Operation and Maintenance, Air Force Reserve'', $145,393,000;

''Operation and Maintenance, Army National Guard'', $258,115,000;

''Operation and Maintenance, Air National Guard'', $264,731,000;

in all; $7,200,000,000:

Provided, That the entire amount shall be available only to the extent an official budget request for $7,200,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 8174. None of the funds appropriated or otherwise made available in this Act may be used for the American Heritage Rivers Initiative.

SEC. 8175. Notwithstanding any other provision of law, the Department of Defense shall make progress payments based on progress no less than 12 days after receiving a valid billing and the Department of Defense shall make progress payments based on cost no less than 19 days after receiving a valid billing.

SEC. 8176. Notwithstanding any other provision of law, the Department of Defense shall make adjustments in payment procedures and policies to ensure that payments are made no less than 29 days after receipt of a proper invoice.

TITLE IX

WAIVER OF CERTAIN SANCTIONS AGAINST INDIA AND PAKISTAN

(a) WAIVER AUTHORITY.—Except as provided in subsections (b) and (c) of this section, the President may waive, with respect to India and Pakistan, the application of any sanction contained in section 101 or 102 of the Arms Export Control Act (22 U.S.C. 2799aa or 22 U.S.C. 2799aa–1), section 2(b)(4) of the Export Import Bank Act of 1945 (12 U.S.C. 635(b)(4)), or section 620E(e) of the Foreign Assistance Act of 1961, as amended, (22 U.S.C. 2375(e)).

(b) EXCEPTION.—The authority to waive the application of a sanction or prohibition (or portion thereof) under subsection (a) shall not apply with respect to a sanction or prohibition contained in subparagraph (B), (C), or (G) of section 102(b)(2) of the Arms Export Control Act, unless the President determines, and so certifies to Congress, that the application of the restriction would not be in the national security interests of the United States.

(c) TERMINATION OF WAIVER.—The President may not exercise the authority of subsection (a), and any waiver previously issued under subsection (a) shall cease to apply, with respect to India or Pakistan, if that country detonates a nuclear explosive device after the date of enactment of this act or otherwise takes such action which would cause the President to report pursuant to section 102(b)(1) of the Arms Export Control Act.

(d) TARGETED SANCTIONS.—

(1) SENSE OF THE CONGRESS.—

(A) It is the sense of the Congress that the broad application of export controls to nearly 300 Indian and Pakistani entities is inconsistent with the specific national security interests of the United States and that this control list requires refinement; and

(B) export controls should be applied only to those Indian and Pakistani entities that make direct and material contributions to weapons of mass destruction and missile programs and only to those items that can contribute to such programs.

(2) REPORTING REQUIREMENT.—Not later than 60 days after the date of enactment of this Act, the President shall submit both a classified and unclassified report to the appropriate congressional committees listing those Indian and Pakistani entities whose activities contribute to missile programs or weapons of mass destruction programs.

(e) CONGRESSIONAL NOTIFICATION.—The issuance of a license for export of a defense article, defense service, or technology under the authority of this section shall be subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)), including the transmittal of information and the application of congressional review procedures.

(f) REPEAL.—The India-Pakistan Relief Act (title IX of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, as contained in section 101(a) of Public Law 105–277) is repealed effective October 21, 1999.

This Act may be cited as the ''Department of Defense Appropriations Act, 2000''.

And the Senate agree to the same.

JERRY LEWIS,
C.W. BILL YOUNG,
JOE SKEEN,
DAVID L. HOBSON,
HENRY BONILLA,
GEORGE R. NETHERCUTT, Jr.,
ERNEST J. ISTOOK, Jr.,
RANDY ''DUKE'' CUNNINGHAM,
JAY DICKEY,
RODNEY P. FRELINGHUYSEN,
JOHN P. MURTHA,
NORMAN D. DICKS,
MARTIN OLAV SABO,
JULIAN C. DIXON,
PETER J. VISCLOSKY,
JAMES P. MORAN,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
RICHARD C. SHELBY,
JUDD GREGG,
KAY BAILEY HUTCHISON,
DANIEL K. INOUYE,
ERNEST F. HOLLINGS,
ROBERT C. BYRD,
PATRICK J. LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
BYRON L. DORGAN,
RICHARD J. DURBIN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H.R. 2561), making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 2000, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 106–244 and Senate Report 106–53 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2000, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P–1 and R–1 budget justification documents as subsequently modified by Congressional action. The following exception to the above definition shall apply:

For the Military Personnel and the Operation and Maintenance accounts, the term ''program, project, and activity'' is defined as the appropriations accounts contained in the Department of Defense Appropriations Act. At the time the President submits his budget for fiscal year 2001, the conferees direct the Department of Defense to transmit to the congressional defense committees budget justification documents to be known as the ''M–1'' and ''O–1'' which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 2001.

CONGRESSIONAL SPECIAL INTEREST ITEMS

The conferees direct that projects for which funds are provided as indicated in the tables or paragraphs of the Conference Report in any appropriation account are special interest items for the purpose of preparation of the DD Form 1414. The conferees also direct that the funding adjustments outlined in the tables shall be provided only for the specific purposes outlined in the table.

TITLE I—MILITARY PERSONNEL

The conferees agree to the following amounts for the Military Personnel accounts:

[In thousands of dollars]

	Budget	House	Senate	Conference
Active Personnel:				
Army	22,006,632	21,475,732	22,041,094	22,006,361
Navy	17,207,481	16,737,072	17,236,001	17,258,823
Marine Corps	6,544,682	6,353,622	6,562,336	6,555,403
Air Force	17,899,685	17,565,811	17,873,759	17,861,803
Reserve Personnel:				
Army	2,270,964	2,235,055	2,278,696	2,289,996
Navy	1,446,339	1,425,210	1,450,788	1,473,388
Marine Corps	409,189	403,822	410,650	412,650
Air Force	881,170	872,978	884,794	892,594
National Guard Personnel:				
Army	3,570,639	3,486,427	3,622,479	3,610,479
Navy	1,486,512	1,456,248	1,494,496	1,533,196
Total Military Personnel	73,723,293	72,011,977	73,855,093	73,894,693

PAY INCREASE AND RETIREMENT REFORM

The conferees recommend an increase of $165,000,000 to the Active, Reserve, and Guard Military Personnel accounts to provide for a 4.8 percent military pay raise, effective January 1, 2000. This is an increase of 0.4 percent over the budget request of 4.4 percent. In addition, the National Defense Authorization Act for Fiscal Year 2000 revised the budget's legislative proposal to repeal the Redux retirement system which results in savings to the personnel accounts. Accordingly, the conferees recommend a total reduction of $136,000,000 to the Active, Reserve, and Guard Military Personnel accounts for modifications to the 1986 Military Retirement Reform Act.

PERSONNEL UNDEREXECUTION SAVINGS

The conferees recommend a total reduction of $219,000,000 to the Active Military Personnel accounts due to lower than budgeted fiscal year 1999 end strengths, and differences in the actual grade mix of officers and enlisted recommended in the budget request. The General Accounting Office estimates that the active components will have approximately 9,700 fewer personnel on board to begin fiscal year 2000, and as a result, the fiscal year 2000 pay and allowances requirements for personnel are incorrect and the budgets overstated.

FORCE STRUCTURE CHANGES

The conferees recommend a total of $103,600,000 in the Military Personnel and Operation and Maintenance accounts for force structure that was not included in the budget request, as follows:

[In thousands of dollars]

	Milpers	O&M	Proc.	Total
Navy AOE–1 replenishment ships	5,000	.....	.....	5,000
Marine Corps Security Guards	6,600	4,100	.....	10,700
Air Force B–52 aircraft	3,100	25,000	8,900	37,000
Air Force Reserve Test Support Mission	2,300	.....	.....	2,300
Army National Guard civilian technicians	.....	20,000	.....	20,000
Army National Guard RAID Teams AGR's	7,000	.....	.....	7,000
Army National Guard AGR's	15,000	.....	.....	15,000
Air National Guard RAID Teams AGR's	4,600	.....	.....	4,600
Air National Guard C–130 restoration	500	1,500	.....	2,000

DFAS SALARY MISALIGNMENT

At the request of the Air Force, the conferees recommend realigning $39,200,000 from ''Military Personnel, Air Force'' to ''National Guard Personnel, Air Force'' due to a Defense Finance and Accounting Service error involving Air Force personnel salaries.

BASIC ALLOWANCE FOR HOUSING REFORM

The conferees recommend an increase of $100,000,000 across the Active Military Personnel accounts for Basic Allowance for Housing (BAH) reform. The additional funds will allow the Department to complete the transition phase of BAH reform, as directed by the National Defense Authorization Act for Fiscal Year 2000.

ARMY CONTINGENCY OPERATIONS

The conferees recommend a reduction of $80,000,000 to ''Military Personnel, Army'' to reflect the reduced U.S. troop levels in Bosnia, and the associated military personnel pay and allowance costs requested in the fiscal year 2000 budget request.

RECRUITING AND RETENTION

The conferees recommend an additional $399,200,000 in the Military Personnel and Operation and Maintenance accounts to support the Department's recruiting, advertising, and retention programs. The conferees are aware that some of the Services are experiencing difficulty in meeting accession goals and that first and second term retention rates, along with pilot retention rates, are of major concern. Therefore, the conferees recommend additional funds to improve the Services' recruiting and retention efforts in the following programs:

[In thousands of dollars]

Enlistment Bonuses	$88,200
Selective Reenlistment Bonuses	74,000
Student Loan Repayment Program	4,000
Navy College Fund	5,000
Recruiting and Advertising	78,000
Recruiting Support	27,000
College First Program	7,000
Tuition Assistance	6,000
Aviation Continuation Pay	110,000

ACTIVE END STRENGTH

[Fiscal year 2000]

	Budget	Conference	Conference vs. Budget
Army	480,000	480,000	.....
Navy	371,781	372,037	+256
Marine Corps	172,148	172,518	+370
Air Force	360,877	360,877	.....
Total, Active Personnel	1,384,806	1,385,432	+626

Military Personnel, Army

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
50 MILITARY PERSONNEL, ARMY				
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
150 BASIC PAY	3,628,563	3,628,563	3,628,563	3,628,563
200 RETIRED PAY ACCRUAL	1,163,712	1,163,712	1,163,712	1,163,712
350 BASIC ALLOWANCE FOR HOUSING	619,968	619,968	619,968	619,968
400 BASIC ALLOWANCE FOR SUBSISTENCE	149,286	149,286	149,286	149,286
450 INCENTIVE PAYS	77,071	77,071	77,071	77,071
500 SPECIAL PAYS	203,815	203,815	203,815	203,815
550 ALLOWANCES	86,756	86,756	86,756	86,756
600 SEPARATION PAY	87,929	87,929	87,929	87,929
650 SOCIAL SECURITY TAX	275,798	275,798	275,798	275,798
700 TOTAL, BUDGET ACTIVITY 1	6,292,898	6,292,898	6,292,898	6,292,898
750 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
800 BASIC PAY	7,774,659	7,774,659	7,774,659	7,774,659
850 RETIRED PAY ACCRUAL	2,493,248	2,493,248	2,493,248	2,493,248
1000 BASIC ALLOWANCE FOR HOUSING	1,298,062	1,298,062	1,298,062	1,298,062
1050 INCENTIVE PAYS	69,232	69,232	69,232	69,232
1100 SPECIAL PAYS	374,543	423,543	374,543	453,543
1150 ALLOWANCES	506,601	506,601	506,601	506,601

(In thousands of dollars)

	Budget	House	Senate	Conference
1200 SEPARATION PAY	270,039	270,039	270,039	270,039
1250 SOCIAL SECURITY TAX	586,232	586,232	586,232	586,232
1300 TOTAL, BUDGET ACTIVITY 2	13,372,616	13,421,616	13,372,616	13,451,616
1350 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS				
1400 ACADEMY CADETS	39,646	39,646	39,646	39,646
1500 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
1550 BASIC ALLOWANCE FOR SUBSISTENCE	826,782	826,782	826,782	826,782
1600 SUBSISTENCE-IN-KIND	459,889	459,889	459,889	459,889
1650 TOTAL, BUDGET ACTIVITY 4	1,286,671	1,286,671	1,286,671	1,286,671
1700 ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL				
1750 ACCESSION TRAVEL	129,429	129,429	129,429	129,429
1800 TRAINING TRAVEL	47,289	47,289	47,289	47,289
1850 OPERATIONAL TRAVEL	136,305	136,305	136,305	136,305
1900 ROTATIONAL TRAVEL	575,093	575,093	575,093	575,093
1950 SEPARATION TRAVEL	162,933	162,933	162,933	162,933
2000 TRAVEL OF ORGANIZED UNITS	6,409	6,409	6,409	6,409
2050 NON-TEMPORARY STORAGE	28,752	28,752	28,752	28,752
2100 TEMPORARY LODGING EXPENSE	10,605	10,605	10,605	10,605
2200 TOTAL, BUDGET ACTIVITY 5	1,096,815	1,096,815	1,096,815	1,096,815

(In thousands of dollars)

	Budget	House	Senate	Conference
2250 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
2300 APPREHENSION OF MILITARY DESERTERS	795	795	795	795
2350 INTEREST ON UNIFORMED SERVICES SAVINGS	487	487	487	487
2400 DEATH GRATUITIES	2,856	2,856	2,856	2,856
2450 UNEMPLOYMENT BENEFITS	102,292	102,292	102,292	102,292
2500 SURVIVOR BENEFITS	7,883	7,883	7,883	7,883
2600 ADOPTION EXPENSES	252	252	252	252
2700 TOTAL, BUDGET ACTIVITY 6	114,565	114,565	114,565	114,565
2750 LESS REIMBURSABLES	-196,579	-196,579	-196,579	-196,579
2755 LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-559,533	---	---
2770 PERSONNEL UNDEREXECUTION	---	-15,000	-15,000	-35,000
2790 4.8% PAY RAISE INCREASE	---	49,533	49,462	49,462
2800 RETIREMENT REFORM	---	-127,500	---	-46,000
2805 BASIC ALLOWANCE FOR HOUSING	---	72,600	---	32,267
2810 CONTINGENCY OPERATIONS UNDEREXECUTION	---	---	---	-80,000
2840 TOTAL, MILITARY PERSONNEL, ARMY	22,006,632	21,475,732	22,041,094	22,006,361

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 2: Pay and Allowances of Enlisted Personnel:	
1100 Special Pays/Enlistment Bonuses	35,000
1100 Special Pays/Selective Reenlistment Bonuses	44,000
Undistributed:	
2770 Personnel Underexecution	−35,000
2790 4.8 Percent Pay Raise	49,462
2805 Retirement Reform	−46,000
2805 Basic Allowance for Housing Reform	32,267
2810 Contingency Operations Underexecution	−80,000

Military Personnel, Navy

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
2850 MILITARY PERSONNEL, NAVY				
2900 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
2950 BASIC PAY	2,519,847	2,519,847	2,519,847	2,519,847
3000 RETIRED PAY ACCRUAL	809,915	809,915	809,915	809,915
3150 BASIC ALLOWANCE FOR HOUSING	557,691	557,691	557,691	557,691
3200 BASIC ALLOWANCE FOR SUBSISTENCE	102,631	102,631	102,631	102,631
3250 INCENTIVE PAYS	152,274	152,274	152,274	152,274
3300 SPECIAL PAYS	221,949	221,949	221,949	221,949
3350 ALLOWANCES	51,472	51,472	51,472	51,472
3400 SEPARATION PAY	50,517	50,517	50,517	50,517
3450 SOCIAL SECURITY TAX	191,297	191,297	191,297	191,297
3500 TOTAL, BUDGET ACTIVITY 1	4,657,593	4,657,593	4,657,593	4,657,593
3550 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
3600 BASIC PAY	6,177,863	6,177,863	6,177,863	6,177,863
3650 RETIRED PAY ACCRUAL	1,976,919	1,976,919	1,976,919	1,976,919
3800 BASIC ALLOWANCE FOR HOUSING	1,428,369	1,428,369	1,428,369	1,428,369
3850 INCENTIVE PAYS	94,723	94,723	94,723	94,723
3900 SPECIAL PAYS	578,254	578,254	578,254	611,254
3950 ALLOWANCES	373,344	373,344	373,344	373,344
4000 SEPARATION PAY	123,654	123,654	123,654	123,654
4050 SOCIAL SECURITY TAX	467,633	467,633	467,633	467,633
4100 TOTAL, BUDGET ACTIVITY 2	11,220,759	11,220,759	11,220,759	11,253,759

(In thousands of dollars)

	Budget	House	Senate	Conference
4150 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN				
4200 MIDSHIPMEN	38,518	38,518	38,518	38,518
4300 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
4350 BASIC ALLOWANCE FOR SUBSISTENCE	538,334	538,334	538,334	538,334
4400 SUBSISTENCE-IN-KIND	265,304	265,304	265,304	265,304
4450 TOTAL, BUDGET ACTIVITY 4	803,638	803,638	803,638	803,638
4500 ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL				
4550 ACCESSION TRAVEL	56,062	56,062	56,062	56,062
4600 TRAINING TRAVEL	60,220	60,220	60,220	60,220
4650 OPERATIONAL TRAVEL	141,795	141,795	141,795	141,795
4700 ROTATIONAL TRAVEL	230,389	230,389	230,389	230,389
4750 SEPARATION TRAVEL	101,158	101,158	101,158	101,158
4800 TRAVEL OF ORGANIZED UNITS	19,620	19,620	19,620	19,620
4850 NON-TEMPORARY STORAGE	13,357	13,357	13,357	13,357
4900 TEMPORARY LODGING EXPENSE	5,556	5,556	5,556	5,556
4950 OTHER	4,710	4,710	4,710	4,710
5000 TOTAL, BUDGET ACTIVITY 5	632,867	632,867	632,867	632,867

(In thousands of dollars)

	Budget	House	Senate	Conference
5050 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
5100 APPREHENSION OF MILITARY DESERTERS	839	839	839	839
5150 INTEREST ON UNIFORMED SERVICES SAVINGS	100	100	100	100
5200 DEATH GRATUITIES	1,806	1,806	1,806	1,806
5250 UNEMPLOYMENT BENEFITS	63,992	63,992	63,992	63,992
5300 SURVIVOR BENEFITS	3,173	3,173	3,173	3,173
5350 EDUCATION BENEFITS	9,341	9,341	9,341	14,341
5400 ADOPTION EXPENSES	272	272	272	272
5500 TOTAL, BUDGET ACTIVITY 6	79,523	79,523	79,523	84,523
5550 LESS REIMBURSABLES	-225,417	-225,417	-225,417	-225,417
5555 LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-436,773	---	---
5580 PERSONNEL UNDEREXECUTION	---	-51,300	-9,000	-38,000
5595 4.8% PAY RAISE INCREASE	---	37,464	37,520	37,520
5605 RETIREMENT REFORM	---	-96,400	---	-33,000
5610 BASIC ALLOWANCE FOR HOUSING	---	71,600	---	31,822
5615 AOE-1 REPLENISHMENT SHIPS	---	5,000	---	5,000
5620 AVIATION CONTINUATION PAY	---	---	---	10,000
5640 TOTAL, MILITARY PERSONNEL, NAVY	17,207,481	16,737,072	17,236,001	17,258,823

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 2: Pay and Allowances of Enlisted Personnel:	
3900 Special Pays/Enlistment Bonuses	30,000
3900 Special Pays/Special Duty Assignment Pay	3,000
Budget Activity 6: Other Military Personnel Costs:	
5350 Education Benefits/Navy College Fund	5,000
Undistributed:	
5580 Personnel Underexection	−38,000
5595 4.8 percent Pay Raise	37,520
5605 Retirement Reform	−33,000
5610 Basic Allowance for Housing Reform	31,822
5615 AOE–1 Replenishment Ships	5,000
5620 Aviation Continuation Pay	10,000

Military Personnel, Marine Corps

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
5650 MILITARY PERSONNEL, MARINE CORPS				
5700 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
5750 BASIC PAY	811,861	811,861	811,861	811,861
5800 RETIRED PAY ACCRUAL	260,434	260,434	260,434	260,434
5950 BASIC ALLOWANCE FOR HOUSING	145,075	145,075	145,075	145,075
6000 BASIC ALLOWANCE FOR SUBSISTENCE	34,253	34,253	34,253	34,253
6050 INCENTIVE PAYS	39,638	39,638	39,638	39,638
6100 SPECIAL PAYS	1,572	1,572	1,572	1,572
6150 ALLOWANCES	17,183	17,183	17,183	17,183
6200 SEPARATION PAY	13,925	13,925	13,925	13,925
6250 SOCIAL SECURITY TAX	61,402	61,402	61,402	61,402
6300 TOTAL, BUDGET ACTIVITY 1	1,385,343	1,385,343	1,385,343	1,385,343
6350 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
6400 BASIC PAY	2,738,038	2,738,038	2,738,038	2,738,038
6450 RETIRED PAY ACCRUAL	876,634	876,634	876,634	876,634
6600 BASIC ALLOWANCE FOR HOUSING	410,051	410,051	410,051	410,051
6650 INCENTIVE PAYS	9,960	9,960	9,960	9,960
6700 SPECIAL PAYS	82,846	82,846	82,846	92,846
6750 ALLOWANCES	147,334	147,334	147,334	147,334
6800 SEPARATION PAY	58,998	58,998	58,998	58,998
6850 SOCIAL SECURITY TAX	209,367	209,367	209,367	209,367
6900 TOTAL, BUDGET ACTIVITY 2	4,533,228	4,533,228	4,533,228	4,543,228

(In thousands of dollars)

	Budget	House	Senate	Conference
6950 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
7000 BASIC ALLOWANCE FOR SUBSISTENCE	249,032	249,032	249,032	249,032
7050 SUBSISTENCE-IN-KIND	136,522	136,522	136,522	136,522
7100 TOTAL, BUDGET ACTIVITY 4	385,554	385,554	385,554	385,554
7150 ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL				
7200 ACCESSION TRAVEL	28,409	28,409	28,409	28,409
7250 TRAINING TRAVEL	6,819	6,819	6,819	6,819
7300 OPERATIONAL TRAVEL	63,604	63,604	63,604	63,604
7350 ROTATIONAL TRAVEL	83,189	83,189	83,189	83,189
7400 SEPARATION TRAVEL	45,199	45,199	45,199	45,199
7450 TRAVEL OF ORGANIZED UNITS	994	994	994	994
7500 NON-TEMPORARY STORAGE	4,158	4,158	4,158	4,158
7550 TEMPORARY LODGING EXPENSE	5,565	5,565	5,565	5,565
7600 OTHER	1,698	1,698	1,698	1,698
7650 TOTAL, BUDGET ACTIVITY 5	239,635	239,635	239,635	239,635

(In thousands of dollars)

	Budget	House	Senate	Conference
7700 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
7750 APPREHENSION OF MILITARY DESERTERS	880	880	880	880
7800 INTEREST ON UNIFORMED SERVICES SAVINGS	14	14	14	14
7850 DEATH GRATUITIES	996	996	996	996
7900 UNEMPLOYMENT BENEFITS	27,917	27,917	27,917	27,917
7950 SURVIVOR BENEFITS	1,200	1,200	1,200	1,200
8000 EDUCATION BENEFITS	959	959	959	959
8050 ADOPTION EXPENSES	46	46	46	46
8150 TOTAL, BUDGET ACTIVITY 6	32,012	32,012	32,012	32,012
8200 LESS REIMBURSABLES	-31,090	-31,090	-31,090	-31,090
8205 LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-177,980	---	---
8240 4.8% PAY RAISE INCREASE	---	15,520	15,454	15,454
8242 INCREASE IN MARINE SECURITY GUARDS	---	6,600	2,200	6,600
8250 RETIREMENT REFORM	---	-38,700	---	-14,000
8255 BASIC ALLOWANCE FOR HOUSING	---	19,500	---	8,667
8260 MARINE CORPS EXECUTION REPRICING	---	-16,000	---	-16,000
8290 TOTAL, MILITARY PERSONNEL, MARINE CORPS	6,544,682	6,353,622	6,562,336	6,555,403

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 2: Pay and Allowances of Enlisted Personnel:	
6700 Special Pays/Selective Reenlistment Bonuses	10,000
Undistributed:	
8240 4.8 Percent Pay Raise	15,454
8242 Increase in Marine Security Guards	6,600
8250 Retirement Reform	−14,000
8255 Basic Allowance for Housing Reform	8,667
8260 Marine Corps Execution Repricing	16,000

Military Personnel, Air Force

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
8300 MILITARY PERSONNEL, AIR FORCE				
8350 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
8400 BASIC PAY	3,407,110	3,407,110	3,407,110	3,407,110
8450 RETIRED PAY ACCRUAL	1,093,419	1,093,419	1,093,419	1,093,419
8600 BASIC ALLOWANCE FOR HOUSING	618,694	618,694	618,694	618,694
8650 BASIC ALLOWANCE FOR SUBSISTENCE	136,599	136,599	136,599	136,599
8700 INCENTIVE PAYS	178,002	178,002	178,002	178,002
8750 SPECIAL PAYS	186,448	186,448	186,448	186,448
8800 ALLOWANCES	48,713	48,713	48,713	48,713
8850 SEPARATION PAY	118,845	118,845	118,845	118,845
8900 SOCIAL SECURITY TAX	258,272	258,272	258,272	258,272
8950 TOTAL, BUDGET ACTIVITY 1	6,046,102	6,046,102	6,046,102	6,046,102
9000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
9050 BASIC PAY	6,024,073	6,024,073	6,024,073	6,024,073
9100 RETIRED PAY ACCRUAL	1,931,774	1,931,774	1,931,774	1,931,774
9250 BASIC ALLOWANCE FOR HOUSING	1,157,649	1,157,649	1,157,649	1,157,649
9300 INCENTIVE PAYS	38,135	38,135	38,135	38,135
9350 SPECIAL PAYS	241,882	241,882	241,882	266,882
9400 ALLOWANCES	341,848	341,848	341,848	341,848
9450 SEPARATION PAY	70,251	70,251	70,251	70,251
9500 SOCIAL SECURITY TAX	460,840	460,840	460,840	460,840
9550 TOTAL, BUDGET ACTIVITY 2	10,266,452	10,266,452	10,266,452	10,291,452

(In thousands of dollars)

		Budget	House	Senate	Conference
9600	ACTIVITY 3: PAY AND ALLOWANCES OF CADETS				
9650	ACADEMY CADETS	38,269	38,269	38,269	38,269
9750	ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
9800	BASIC ALLOWANCE FOR SUBSISTENCE	687,956	687,956	687,956	687,956
9850	SUBSISTENCE-IN-KIND	108,685	108,685	108,685	108,685
9900	TOTAL, BUDGET ACTIVITY 4	796,641	796,641	796,641	796,641
9950	ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL				
10000	ACCESSION TRAVEL	55,680	55,680	55,680	55,680
10050	TRAINING TRAVEL	57,596	57,596	57,596	57,596
10100	OPERATIONAL TRAVEL	145,410	145,410	145,410	145,410
10150	ROTATIONAL TRAVEL	455,330	455,330	455,330	455,330
10200	SEPARATION TRAVEL	105,980	105,980	105,980	105,980
10250	TRAVEL OF ORGANIZED UNITS	26,450	26,450	26,450	26,450
10300	NON-TEMPORARY STORAGE	23,662	23,662	23,662	23,662
10350	TEMPORARY LODGING EXPENSE	37,431	37,431	37,431	37,431
10400	OTHER	2,859	2,859	2,859	2,859
10450	TOTAL, BUDGET ACTIVITY 5	910,398	910,398	910,398	910,398

(In thousands of dollars)

		Budget	House	Senate	Conference
10500	ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
10550	APPREHENSION OF MILITARY DESERTERS	100	100	100	100
10600	INTEREST ON UNIFORMED SERVICES SAVINGS	595	595	595	595
10650	DEATH GRATUITIES	1,506	1,506	1,506	1,506
10700	UNEMPLOYMENT BENEFITS	42,474	42,474	42,474	42,474
10750	SURVIVOR BENEFITS	4,155	4,155	4,155	4,155
10800	EDUCATION BENEFITS	4,646	4,646	4,646	4,646
10850	ADOPTION EXPENSES	800	800	800	800
10920	OTHER	50	50	50	50
10950	TOTAL, BUDGET ACTIVITY 6	54,326	54,326	54,326	54,326
11000	LESS REIMBURSABLES	-212,503	-212,503	-212,503	-212,503
11005	LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-471,892	---	---
11020	PERSONNEL UNDEREXECUTION	---	-146,000	-70,000	-146,000
11030	B-52 FORCE STRUCTURE	---	---	3,100	3,100
11040	4.8% PAY RAISE INCREASE	---	40,518	40,974	40,974
11070	RETIREMENT REFORM	---	-105,800	---	-37,000
11080	BASIC ALLOWANCE FOR HOUSING	---	61,300	---	27,244
11090	AVIATION CONTINUATION PAY	---	300,000	---	100,000
11100	TERA REPHASING	---	-12,000	---	-12,000
11110	DFAS SALARY MISALIGNMENT	---	---	---	-39,200
11140	TOTAL, MILITARY PERSONNEL, AIR FORCE	17,899,685	17,565,811	17,873,759	17,861,803

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 2: Pay and Allowances of Enlisted Personnel:	
9350 Special Pays/Selective Reenlistment Bonuses	25,000
Undistributed:	
11020 Personnel Underexecution	−146,000
11030 B–52 Force Structure	3,100
11040 4.8 Percent Pay Raise	40,974
11070 Retirement Reform	−37,000
11080 Basic Allowance for Housing Reform	27,244
11090 Aviation Continuation Pay	100,000
11100 TERA Rephasing	−12,000
11110 DFAS Salary Misalignment	−39,200

NATIONAL GUARD AND RESERVE FORCES

The conferees agree to provide $10,212,303,000 in Reserve Personnel appropriations, $10,752,172,000 in Operation and Maintenance appropriations, and $150,000,000 in the National Guard and Reserve Equipment appropriation. These funds support a Selective Reserve end strength of 865,298, as shown below.

SELECTED RESERVE END STRENGTH

[Fiscal year 2000]

	Budget	Conference	Conference vs. budget
Selected Reserve:			
Army Reserve	205,000	205,000	
Navy Reserve	90,288	90,288	
Marine Corps Reserve	39,624	39,624	
Air Force Reserve	73,708	73,708	
Army National Guard	350,000	350,000	
Air National Guard	106,678	106,678	
Total	865,298	865,298	
AGR/TARS:			
Army Reserve	12,804	12,804	
Navy Reserve	15,010	15,010	
Marine Corps Reserve	2,272	2,272	
Air Force Reserve	1,078	1,134	+56
Army National Guard	21,807	22,430	+623
Air National Guard	11,091	11,162	+71
Total	64,062	64,812	+750
Technicians:			
Army Reserve	6,474	6,474	
Air Force Reserve	9,785	9,785	
Army National Guard	23,161	23,957	+796
Air National Guard	22,589	22,596	+7
Total	62,009	68,812	+803

NATIONAL GUARD RAID TEAMS

The conferees support the establishment of 17 Rapid Assessment and Initial Detection (RAID) teams. Accordingly, the conferees provided funding for an additional 198 Army National Guard and 66 Air National Guard full-time (AGR) personnel to facilitate this mission. Operation and maintenance funding of $79,635,000 for RAID teams is provided within the amounts allocated to combating terrorism.

ARMY NATIONAL GUARD CENTER

The conferees understand that the armory used by Headquarters, 53rd Support Battalion, Army National Guard is in extensive need of repair and renovation. The conferees have provided additional funds for Real Property Maintenance for the Army National Guard's backlog of repair and maintenance projects, and directs that $1,000,000 be designated for repair of the armory in Florida.

C–130 OPERATIONS

The conferees recommend a total of $13,450,000 for personnel and operation and maintenance costs to support Air Force Reserve and Air National Guard C–130 operational support aircraft and those standalone aircraft currently utilized by selected States.

Reserve Personnel, Army

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
11150 RESERVE PERSONNEL, ARMY				
11200 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
11250 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	927,080	927,080	927,080	927,080
11300 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	20,495	20,495	20,495	20,495
11350 PAY GROUP F TRAINING (RECRUITS)	112,579	112,579	112,579	112,579
11400 PAY GROUP P TRAINING (PIPELINE RECRUITS)	8,551	8,551	8,551	8,551
11500 TOTAL, BUDGET ACTIVITY 1	1,068,705	1,068,705	1,068,705	1,068,705
11550 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
11600 MOBILIZATION TRAINING	10,011	10,011	10,011	10,011
11650 SCHOOL TRAINING	89,586	89,586	89,586	89,586
11700 SPECIAL TRAINING	96,636	96,636	96,636	96,636
11750 ADMINISTRATION AND SUPPORT	879,417	881,617	879,417	881,617
11800 EDUCATION BENEFITS	25,761	25,761	25,761	25,761
11850 ROTC - SENIOR, JUNIOR, SCHOLARSHIP	42,592	42,592	42,592	42,592
11900 HEALTH PROFESSION SCHOLARSHIP PROGRAM	24,516	24,516	24,516	24,516
11950 OTHER PROGRAMS	33,740	33,740	33,740	33,740
12000 TOTAL, BUDGET ACTIVITY 2	1,202,259	1,204,459	1,202,259	1,204,459
12005 LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-40,574	---	---
12030 4.8% PAY RAISE INCREASE	---	4,765	4,732	4,732
12045 JROTC PROGRAM	---	2,400	3,000	6,100
12050 RETIREMENT REFORM	---	-4,700	---	-1,000
12055 COLLEGE FIRST PROGRAM	---	---	---	7,000
12090 TOTAL RESERVE PERSONNEL, ARMY	2,270,964	2,235,055	2,278,696	2,289,996

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

Budget Activity 2: Other Training and Support:		
11750	Administration and Support/Enlistment Bonuses	2,200
Undistributed:		
12030	4.8 Percent Pay Raise	4,732
12045	JROTC Program	6,100
12050	Retirement Reform	−1,000
12055	College First Program ...	7,000

Reserve Personnel, Navy

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
12100 RESERVE PERSONNEL, NAVY				
12150 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING 12200 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	585,998	585,998	585,998	585,998
12400 ACTIVITY 2: OTHER TRAINING AND SUPPORT 12450 MOBILIZATION TRAINING	3,352	3,352	3,352	3,352
12500 SCHOOL TRAINING	6,291	6,291	6,291	6,291
12550 SPECIAL TRAINING	33,906	33,906	33,906	33,906
12600 ADMINISTRATION AND SUPPORT	768,903	777,903	768,903	777,903
12650 EDUCATION BENEFITS	3,756	3,756	3,756	3,756
12700 ROTC - SENIOR, JUNIOR, SCHOLARSHIP	23,571	23,571	23,571	23,571
12750 HEALTH PROFESSION SCHOLARSHIP PROGRAM	16,522	16,522	16,522	16,522
12800 OTHER PROGRAMS	4,040	4,040	4,040	4,040
12850 TOTAL BUDGET ACTIVITY 2	860,341	869,341	860,341	869,341
12855 LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-29,833	---	---
12880 CONTRIBUTORY SUPPORT TO CINCS	---	---	---	10,000
12895 4.8% PAY RAISE INCREASE	---	3,004	3,049	3,049
12899 JROTC PROGRAM	---	1,400	1,400	6,000
12910 RETIREMENT REFORM	---	-4,700	---	-1,000
12940 TOTAL, RESERVE PERSONNEL, NAVY	1,446,339	1,425,210	1,450,788	1,473,388

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 2: Other Training and Support:	
12600 Administration and Support/Enlistment Bonuses	5,000
12600 Administration and Support/Selective Reenlistment Bonuses	4,000
Undistributed:	
12880 Contributory Support to CINCs	10,000
12895 4.8 Percent Pay Raise	3,049
12899 JROTC Program	6,000
12910 Retirement Reform	−1,000

Reserve Personnel, Marine Corps

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
12950 RESERVE PERSONNEL, MARINE CORPS				
13000 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
13050 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	148,044	148,044	148,044	148,044
13100 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	15,822	15,822	15,822	15,822
13150 PAY GROUP F TRAINING (RECRUITS).....	60,698	60,698	60,698	60,698
13200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	311	311	311	311
13300 TOTAL, BUDGET ACTIVITY 1.....	224,875	224,875	224,875	224,875
13350 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
13400 MOBILIZATION TRAINING.....	2,073	2,073	2,073	2,073
13450 SCHOOL TRAINING.....	9,131	9,131	9,131	9,131
13500 SPECIAL TRAINING.....	20,593	20,593	20,593	20,593
13550 ADMINISTRATION AND SUPPORT.....	123,120	123,120	123,120	123,120
13600 EDUCATION BENEFITS.....	16,157	16,157	16,157	16,157
13650 ROTC - SENIOR, JUNIOR, SCHOLARSHIP.....	3,403	3,403	3,403	3,403
13700 OTHER PROGRAMS.....	9,837	9,837	9,837	9,837
13750 TOTAL, BUDGET ACTIVITY 2.....	184,314	184,314	184,314	184,314
13755 LESS PAY INCREASE PROVIDED IN P.L. 106-31.....	---	-7,820	---	---
13780 JROTC PROGRAM.....	---	2,600	600	2,600
13790 4.8% PAY RAISE INCREASE.....	---	853	861	861
13795 RETIREMENT REFORM.....	---	-1,000	---	---
13840 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	409,189	403,822	410,650	412,650

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Undistributed:		
13780	JROTC Program	2,600
13790	4.8 Percent Pay Raise	861

Reserve Personnel, Air Force

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
13850 RESERVE PERSONNEL, AIR FORCE				
13900 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
13950 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	430,956	430,956	430,956	430,956
14000 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	79,061	79,061	79,061	79,061
14050 PAY GROUP F TRAINING (RECRUITS).....	11,313	11,313	11,313	11,313
14150 TOTAL, BUDGET ACTIVITY 1.....	521,330	521,330	521,330	521,330
14200 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
14250 MOBILIZATION TRAINING.....	1,600	1,600	1,600	1,600
14300 SCHOOL TRAINING.....	66,283	66,283	66,283	66,283
14350 SPECIAL TRAINING.....	130,000	130,000	130,000	130,000
14400 ADMINISTRATION AND SUPPORT.....	95,994	95,994	95,994	95,994
14450 EDUCATION BENEFITS.....	6,517	6,517	6,517	6,517
14500 ROTC - SENIOR, JUNIOR, SCHOLARSHIP.....	35,289	35,289	35,289	35,289
14550 HEALTH PROFESSION SCHOLARSHIP.....	24,157	24,157	24,157	24,157
14600 TOTAL, BUDGET ACTIVITY 2.....	359,840	359,840	359,840	359,840
14605 LESS PAY INCREASE PROVIDED IN P.L. 106-31.....	---	-13,143	---	---
14620 4.8% PAY RAISE INCREASE.....	---	1,751	1,724	1,724
14626 JROTC PROGRAM.....	---	1,900	1,900	7,400
14630 RETIREMENT REFORM.....	---	-1,000	---	---
14635 TRANSFER OF TEST SUPPORT MISSION/AGR'S.....	---	2,300	---	2,300
14690 TOTAL, RESERVE PERSONNEL, AIR FORCE.....	881,170	872,978	884,794	892,594

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Undistributed:		
14620	4.8 Percent Pay Raise	1,724
14626	JROTC Program	7,400
14635	Transfer of Test Support Mission/AGR's	2,300

National Guard Personnel, Army

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
14700 NATIONAL GUARD PERSONNEL, ARMY				
14750 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
14800 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,556,109	1,556,109	1,556,109	1,556,109
14850 PAY GROUP F TRAINING (RECRUITS)	195,613	195,613	195,613	195,613
14900 PAY GROUP P TRAINING (PIPELINE RECRUITS)	11,739	11,739	11,739	11,739
15000 TOTAL, BUDGET ACTIVITY 1	1,763,461	1,763,461	1,763,461	1,763,461
15050 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
15100 SCHOOL TRAINING	166,882	166,882	166,882	166,882
15150 SPECIAL TRAINING	89,814	89,814	89,814	89,814
15200 ADMINISTRATION AND SUPPORT	1,493,797	1,500,797	1,493,797	1,500,797
15250 EDUCATION BENEFITS	56,685	56,685	56,685	56,685
15350 TOTAL, BUDGET ACTIVITY 2	1,807,178	1,814,178	1,807,178	1,814,178
15355 LESS PAY INCREASE PROVIDED IN P.L. 106-31	---	-70,416	---	---
15370 4.8% PAY RAISE INCREASE	---	7,704	7,840	7,840
15375 STUDENT LOAN REPAYMENT PROGRAM	---	---	6,000	4,000
15380 TUITION ASSISTANCE	---	---	9,000	---
15385 ENLISTED BONUSES	---	---	7,000	---
15390 ADDITIONAL FULL-TIME SUPPORT (AGR)	---	---	22,000	22,000
15395 RETIREMENT REFORM	---	-8,500	---	-3,000
15400 REDUCTION IN WORKYEARS/AT	---	-20,000	---	-8,000
15410 TRAINING DEPLOYMENTS	---	---	---	10,000
15445 TOTAL, NATIONAL GUARD PERSONNEL, ARMY	3,570,639	3,486,427	3,622,479	3,610,479

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 2: Other Training and Support:	
15200 Administration and Support/Enlistment Bonuses	7,000
Undistributed:	
15370 4.8 Percent Pay Raise	7,840
15375 Student Loan Repayment Program	4,000
15390 Additional Full-Time Support (AGR)	22,000
15395 Retirement Reform	−3,000
15400 Reduction in Workyears/AT	−8,000
15410 Training Deployments	10,000

National Guard Personnel, Air Force

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
15450 NATIONAL GUARD PERSONNEL, AIR FORCE				
15500 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
15550 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	616,338	616,338	616,338	616,338
15600 PAY GROUP F TRAINING (RECRUITS).....	28,707	28,707	28,707	28,707
15650 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	1,823	1,823	1,823	1,823
15750 TOTAL, BUDGET ACTIVITY 1.....	646,868	646,868	646,868	646,868
15800 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
15850 SCHOOL TRAINING.....	104,054	104,054	104,054	104,054
15900 SPECIAL TRAINING.....	67,705	67,705	67,705	67,705
15950 ADMINISTRATION AND SUPPORT.....	655,209	655,209	655,209	655,209
16000 EDUCATION BENEFITS.....	12,676	12,676	12,676	12,676
16100 TOTAL, BUDGET ACTIVITY 2.....	839,644	839,644	839,644	839,644
16105 LESS PAY INCREASE PROVIDED IN P.L. 106-31.....	---	-30,462	---	---
16130 4.8% PAY RAISE INCREASE.....	---	3,398	3,384	3,384
16136 ADDITIONAL FULL-TIME SUPPORT (AGR).....	---	---	4,600	4,600
16140 RETIREMENT REFORM.....	---	-3,700	---	-1,000
16145 C-130 PERSONNEL.....	---	500	---	500
16150 DFAS SALARY MISALIGNMENT.....	---	---	---	39,200
16200 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	1,486,512	1,456,248	1,494,496	1,533,196

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Undistributed:	
16130 4.8 Percent Pay Raise	3,384
16136 Additional Full-Time Support (AGR)	4,600
16140 Retirement Reform	−1,000
16145 C–130 Personnel	450
16150 DFAS Salary Misalignment	39,200

TITLE II – OPERATION AND MAINTENANCE

A summary of the conference agreement on the items addressed by either the House or Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
50000 RECAPITULATION				
50050 O & M, ARMY	18,610,994	19,629,019	19,161,852	19,256,152
50100 TRANSFER - STOCKPILE	(50,000)	(50,000)	(50,000)	(50,000)
50150 O & M, NAVY	22,188,715	23,029,584	22,841,510	22,958,784
50200 TRANSFER - STOCKPILE	(50,000)	(50,000)	(50,000)	(50,000)
50250 O & M, MARINE CORPS	2,558,929	2,822,004	2,758,139	2,808,354
50300 O & M, AIR FORCE	20,313,203	21,641,099	20,760,429	20,896,959
50350 TRANSFER - STOCKPILE	(50,000)	(50,000)	(50,000)	(50,000)
50400 O & M, DEFENSEWIDE	11,419,233	11,402,733	11,537,333	11,489,483
50500 O & M, ARMY RESERVE	1,369,213	1,513,076	1,438,776	1,469,176
50550 O & M, NAVY RESERVE	917,647	969,478	946,478	958,978
50600 O & M, MARINE CORPS RESERVE	123,266	143,911	126,711	138,911
50650 O & M, AIR FORCE RESERVE	1,728,437	1,788,091	1,760,591	1,782,591
50700 O & M, ARMY NATIONAL GUARD	2,903,549	3,103,642	3,156,378	3,161,378
50750 O & M, AIR NATIONAL GUARD	3,099,618	3,239,438	3,229,638	3,241,138

(In thousands of dollars)

		Budget	House	Senate	Conference
50790	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	2,387,600	1,812,600	2,087,600	1,722,600
50800	UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	7,621	7,621	7,621	7,621
50850	ENVIRONMENTAL RESTORATION, ARMY	378,170	378,170	378,170	378,170
50900	ENVIRONMENTAL RESTORATION, NAVY	284,000	284,000	284,000	284,000
50950	ENVIRONMENTAL RESTORATION, AIR FORCE	376,800	376,800	376,800	376,800
51000	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	25,370	25,370	25,370	25,370
51050	ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	199,214	209,214	239,214	239,214
51200	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	55,800	55,800	55,800	55,800
51300	FORMER SOVIET UNION THREAT REDUCTION	475,500	456,100	475,500	460,500
51350	PENTAGON RENOVATION TRANSFER FUND	---	---	246,439	222,800
51450	QUALITY OF LIFE ENHANCEMENTS, DEFENSE	1,845,370	800,000	---	300,000
51600	GRAND TOTAL, O & M	91,268,249	93,687,750	91,894,349	92,234,779
51650	TRANSFERS	(150,000)	(150,000)	(150,000)	(150,000)
51700	TOTAL FUNDS AVAILABLE, O & M	91,418,249	93,837,750	92,044,349	92,384,779

ARMS CONTROL PROGRAMS

The conferees have agreed to reduce funding for certain arms control activities in the Army and the Air Force. If additional funds prove necessary to meet emergent requirements stemming from valid treaty obligations, the conferees expect the Department of Defense to submit a reprogramming request subject to normal, prior approval reprogramming procedures.

COMBATING TERRORISM

Within the operation and maintenance appropriations, the conferees have provided significant resources for the antiterrorism activities of the Department. No later than June 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report which describes the use of all funds appropriated for combating terrorism activities.

HOMESTEAD AIR FORCE BASE

It has been more than seven years since the devastation of Homestead Air Force Base by Hurricane Andrew. The region was further impacted by the subsequent decision of the Base Realignment and Closure Commission to close and realign the installation in 1993. This, coupled with the delay in economic redevelopment, has created a devastating economic impact throughout the local area. This region is also experiencing extremely high unemployment rates far above the national average. The conferees recognize these adverse economic conditions and urge the Air Force to expeditiously complete requisite environmental studies prior to conveying certain real property parcels on the installation to facilitate interim use activities that will benefit the local economy.

DOD WORKER SAFETY ENHANCEMENT

The conferees are frustrated by the Department's poor record on safety and worker incident rates relative to private industry and other federal agencies. Accordingly, the conferees direct the Department to initiate programs funded from within existing Operation and Maintenance accounts at designated DOD facilities that employ alternative, private sector proven, models of safety to determine the best way to improve the Department's record with respect to injury incidence rates and associated costs.

RAILROAD SAFETY STUDY

The conferees direct the Corps of Engineers to study the feasibility of realigning the railroad tracks between Fort Wainwright and Eielson Air Force Base to improve the overall safety and efficiency of the line. The report should be provided to the Committees on Appropriations no later than June 15, 2000.

SMALL BUSINESS ADVERTISING

The conferees understand that there are many qualified minority-owned businesses, women-owned businesses, and small businesses that design and place advertising and advertising campaigns, which can assist the Department in its recruiting efforts using print, electronic, and the radio media. The conferees believe these firms can provide valuable new insights and expertise to service wide recruiting programs. The conferees expect the Department to increase the use of these qualified businesses in the initiation, design and placement of its advertising in the print, radio and electronic media.

OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
100 OPERATION AND MAINTENANCE, ARMY				
150 BUDGET ACTIVITY 1: OPERATING FORCES				
200 LAND FORCES				
250 DIVISIONS	1,151,351	1,185,351	1,151,351	1,168,351
300 CORPS COMBAT FORCES	342,122	342,122	342,122	342,122
350 CORPS SUPPORT FORCES	341,220	341,220	341,220	341,220
400 ECHELON ABOVE CORPS FORCES	476,924	476,924	476,924	476,924
450 LAND FORCES OPERATIONS SUPPORT	928,628	970,728	928,628	970,728
500 LAND FORCES READINESS				
550 FORCE READINESS OPERATIONS SUPPORT	1,090,532	1,114,516	1,090,532	1,102,532
600 LAND FORCES SYSTEMS READINESS	465,195	465,195	450,195	450,195
650 LAND FORCES DEPOT MAINTENANCE	645,714	681,514	641,714	661,914
700 LAND FORCES READINESS SUPPORT				
750 BASE SUPPORT	2,658,717	2,679,517	2,658,717	2,678,517
800 MAINTENANCE OF REAL PROPERTY	490,964	490,964	497,964	497,964
850 MANAGEMENT AND OPERATIONAL HEADQUARTERS	126,563	122,563	122,563	122,563
900 UNIFIED COMMANDS	78,490	78,490	98,490	78,490
950 MISCELLANEOUS ACTIVITIES	77,921	77,921	77,921	77,921
1045 TOTAL, BUDGET ACTIVITY 1	8,874,341	9,027,025	8,878,341	8,969,441

(In thousands of dollars)

	Budget	House	Senate	Conference
1050 BUDGET ACTIVITY 2: MOBILIZATION				
1100 MOBILITY OPERATIONS				
1200 STRATEGIC MOBILIZATION	326,228	326,228	326,228	326,228
1250 ARMY PREPOSITIONED STOCKS	134,797	134,797	134,797	134,797
1300 INDUSTRIAL PREPAREDNESS	69,947	69,947	69,947	69,947
1325 MAINTENANCE OF REAL PROPERTY	29,069	29,069	29,069	29,069
1350 TOTAL, BUDGET ACTIVITY 2	560,041	560,041	560,041	560,041
1400 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
1450 ACCESSION TRAINING				
1500 OFFICER ACQUISITION	65,423	65,423	65,423	65,423
1550 RECRUIT TRAINING	14,160	14,160	14,160	14,160
1600 ONE STATION UNIT TRAINING	13,924	13,924	13,924	13,924
1650 RESERVE OFFICER TRAINING CORPS (ROTC)	134,842	136,092	136,092	136,092
1700 BASE SUPPORT (ACADEMY ONLY)	73,009	73,009	73,009	73,009
1750 MAINTENANCE OF REAL PROPERTY (ACADEMY ONLY)	27,358	27,358	27,358	27,358
1800 BASIC SKILL/ ADVANCE TRAINING				
1850 SPECIALIZED SKILL TRAINING	230,145	233,645	231,645	231,645
1900 FLIGHT TRAINING	269,609	269,609	269,609	269,609
1950 PROFESSIONAL DEVELOPMENT EDUCATION	87,429	88,929	87,429	88,929
2000 TRAINING SUPPORT	466,975	470,915	466,975	470,915
2050 BASE SUPPORT (OTHER TRAINING)	865,351	865,663	865,351	865,663
2100 MAINTENANCE OF REAL PROPERTY (OTHER TRAINING)	176,026	176,026	176,026	176,026
2150 RECRUITING/OTHER TRAINING				
2200 RECRUITING AND ADVERTISING	255,417	272,917	255,417	265,417
2250 EXAMINING	77,464	77,464	77,464	77,464
2300 OFF-DUTY AND VOLUNTARY EDUCATION	87,660	87,660	87,660	87,660

(In thousands of dollars)

	Budget	House	Senate	Conference
2350 CIVILIAN EDUCATION AND TRAINING	65,375	65,375	64,375	64,375
2400 JUNIOR ROTC	74,282	80,282	85,282	77,982
2450 BASE SUPPORT (RECRUITING LEASES)	187,393	202,893	187,393	194,393
2500 TOTAL, BUDGET ACTIVITY 3	3,171,842	3,221,344	3,184,592	3,200,044
2550 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
2600 SECURITY PROGRAMS				
2650 SECURITY PROGRAMS	426,729	416,862	426,729	421,729
2700 LOGISTICS OPERATIONS				
2750 SERVICEWIDE TRANSPORTATION	546,861	546,861	516,861	516,861
2800 CENTRAL SUPPLY ACTIVITIES	419,672	424,672	419,672	424,672
2850 LOGISTIC SUPPORT ACTIVITIES	321,696	312,744	321,696	312,244
2900 AMMUNITION MANAGEMENT	360,210	360,210	360,210	360,210
2950 SERVICEWIDE SUPPORT				
3000 ADMINISTRATION	320,944	312,594	315,944	315,944
3050 SERVICEWIDE COMMUNICATIONS	662,827	642,827	642,827	642,827
3100 MANPOWER MANAGEMENT	154,769	154,769	154,769	154,769
3150 OTHER PERSONNEL SUPPORT	147,606	147,606	147,606	147,606
3200 OTHER SERVICE SUPPORT	674,400	665,350	677,400	668,350
3250 ARMY CLAIMS ACTIVITIES	116,617	73,217	116,617	73,217
3300 REAL ESTATE MANAGEMENT	71,312	71,312	71,312	71,312
3350 BASE SUPPORT	1,106,387	1,111,037	1,005,987	1,056,437
3375 COMMISSARY OPERATIONS	346,154	346,154	346,154	346,154
3400 MAINTENANCE OF REAL PROPERTY	104,815	104,815	116,815	112,815
3550 SUPPORT OF OTHER NATIONS				
3600 INTERNATIONAL MILITARY HEADQUARTERS	224,685	224,685	222,685	222,685

(In thousands of dollars)

		Budget	House	Senate	Conference
3650	MISC SUPPORT OF OTHER NATIONS	49,086	49,086	49,086	49,086
3700	TOTAL, BUDGET ACTIVITY 4	6,054,770	5,964,801	5,912,370	5,896,918
3710	CLASSIFIED PROGRAMS UNDISTRIBUTED	---	2,500	8,500	4,500
3720	GENERAL REDUCTION, NATIONAL DEFENSE STOCKPILE FUND	-50,000	-50,000	-50,000	-50,000
3775	BASE SUPPORT	---	154,600	---	65,000
3835	MEMORIAL EVENTS	---	400	---	400
3940	REAL PROPERTY MAINTENANCE	---	625,808	688,008	625,808
3960	CONTRACT AND ADVISORY SERVICES	---	-10,000	-20,000	-20,000
4070	MANAGEMENT HEADQUARTERS	---	-55,000	---	-55,000
4080	REDUCTION IN JCS EXERCISES	---	-10,000	---	-10,000
4085	SPARES/WRM	---	213,500	---	85,000
4090	COMMUNICATIONS REDUCTION	---	-16,000	---	-16,000
4100	TOTAL, OPERATION AND MAINTENANCE, ARMY	18,610,994	19,629,019	19,161,852	19,256,152
4150	TRANSFER	(50,000)	(50,000)	(50,000)	(50,000)
4200	TOTAL FUNDING AVAILABLE	(18,660,994)	(19,679,019)	(19,211,852)	(19,306,152)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity Operating Forces:	
250 Soldier Support—Extended Cold Weather Clothing System (ECWCS)	8,000
250 Military Gator	4,000
250 Soldier Support—Field Kitchen Modern Burner Units (MBU)	3,000
250 Soldier Support—Soldier Modernization	2,000
450 Rotational Training—NTC Prepo Fleet Maintenance	28,000
450 Rotational Training—Korea Training Area	4,100
450 Rotational Training—CMTC Mission Support	4,000
450 Rotational Training—FORSCOM Deployments to National Training Center	4,000
450 Rotational Training—JRTC Prepo Fleet Maintenance	2,000
550 Training Area Environmental Management	12,000
600 AWE unjustified program growth	−15,000
650 Depot Maintenance/System Sustainment Tech Support	20,000
650 Humanitarian Airlift Aircraft maintenance	200
650 Post production software support	−4,000
750 Transportation Improvements—Ft. Irwin Road	12,450
750 Ft. Baker Repairs and Maintenance	5,000
750 NTC Airhead	2,000
750 Security Improvements—NTC Heliport	300
800 Fort Wainwright utilidors	7,000
850 Headquarters growth	−4,000
Budget Activity 3: Training and Recruiting:	
1650 Air Battle Captain Program	1,250
1850 Joint Assessment of Neurological Equipment	1,450
1950 Center for Hemispheric Defense Studies	1,450
2000 University of Mounted Warfare	3,000
2000 Armor Officers Distance Learning	600
2000 Training Area Environmental Management	440
2050 Training Area Environmental Management	312
2200 Recruiting and Advertising	10,000
2350 DLAMP	−1,000
2400 Junior ROTC	3,700
2450 Recruiting Leases	7,000
Budget Activity 4: Administration and Servicewide Activities:	
2650 Security Programs (Arms Controls, DSS)	−5,000
2750 Service wide transport, over ocean transport	−30,000
2800 Pulse technology	5,000
2850 Supercomputing Work	6,000
2850 Logistics and Technology Project	1,100
2850 Power Projection C4 Infrastructure	−16,552
3000 Headquarters growth	−5,000
3050 Service-wide communication underexecution	−20,000
3200 Ft. Atkinson Preservation	250
3200 DFAS Reduction	−9,300
3200 Army conservation and ecosystem management	3,000
3250 Claims Underexecution	−43,400
3350 Corps of Engineers Building Demolition	4,650
3350 BOS-Dugway Proving Ground, Utah	4,000
3350 Pentagon renovation	−76,400
3350 UC–35A Basing and Sustainment	17,800
3400 Rock Island Bridge Repairs	2,450
3400 White Sands Missile Range UXO Fence	3,450
3400 Fort Des Moines-Historic OCS Memorial	2,000
3600 Support of NATO	−2,000
Undistributed:	
3710 Classified Undistributed	4,450
3775 Base Operations Support	65,000
3835 Memorial Events	600
3940 Real Property Maintenance (Transfer from Quality of Life Enhancements)	625,808
3960 Contract and Advisory Services	−20,000
4070 Management Headquarters	−55,000
4080 Reduction in JCS Exercises	−10,000
4085 Spares/War Reserve Material	−85,000
4090 Communications Reduction	−16,000
CECOM telecommunications upgrades	(10,000)

GENERAL PURPOSE TENTS

Of the funds made available in Operation and Maintenance, Army the conferees direct that $14,000,000 be made available for the purpose of meeting prospective requirements for modular general purpose tents (M.G.P.T.) associated with wartime and other mobilizations as described in the report accompanying the House Department of Defense Appropriations bill for fiscal year 2000.

REAL PROPERTY MAINTENANCE

The conferees direct the Secretary of the Army to submit a report to the Appropriations Committees no later than thirty days after the enactment of this Act which details the allocation of funds appropriated for real property maintenance. The report shall detail the allocation of real property maintenance funding by major command.

FIREFIGHTING EQUIPMENT CONVEYANCE

The Secretary of the Army may, notwithstanding title II of the Federal Property and Administrative Services Act of 1949, convey without consideration to the Bayonne Local Redevelopment Authority, Bayonne, New Jersey, and to the City of Bayonne, New Jersey, jointly, all right, title, and interest of the United States in and to the firefighting equipment from the Military Ocean terminal, Bayonne, New Jersey as described below: a Pierce Dash 2000 Gpm Pumper, manufactured September 1995; a Pierce Arrow 100-foot Tower Ladder, manufactured February 1994; a Pierce Hazardous Materials truck, manufactured 1993; Ford E–350, manufactured 1992; a Ford E–302, manufactured 1990; and a Bauer Compressor, manufactured November 1989. The conveyance and delivery shall be at no cost to the Department of Defense.

The Secretary may require such additional terms and conditions in connection with this conveyance as he considers appropriate to protects the interests of the Department.

TOUSSAINT RIVER

The conferees direct that of the funds provided in Operations and Maintenance, Army, $450,000 be provided for a study of the costs and feasibility of a project to remove ordnance from the Toussaint River.

AVTEC FIBERS FACILITY

Of the funding available in Operation and Maintenance, Army, the conferees agree to provide $5,000,000 for cleanup activities at this facility.

JOINT COMPUTER-AIDED ACQUISITION AND LOGISTICS SYSTEM

The conferees have provided the full amount requested in the President's Budget for the Joint Computer-Aided Acquisition and Logistics System (JCALS). Consistent with the Senate's intent, the $20,000,000 provided in JCALS defense information infrastructure (DII) funds are allocated to the JCALs southeast regional technical center. Of these funds, $11,450,000 is for standard JCALS DII activities only and $8,450,000 is transferred to the core JCALS program for expansion of the southeast regional center's activities beyond the center's current location.

YUMA PROVING GROUND

The conferees encourage the Army to go forward with necessary studies to determine federal interest in creating a public-private partnership to establish and maintain a hot weather test track and free fall simulator.

OPERATION AND MAINTENANCE, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
4250 OPERATION AND MAINTENANCE, NAVY				
4300 BUDGET ACTIVITY 1: OPERATING FORCES				
4350 AIR OPERATIONS				
4400 MISSION AND OTHER FLIGHT OPERATIONS	2,232,508	2,261,908	2,232,508	2,254,508
4450 FLEET AIR TRAINING	693,133	698,233	693,133	696,633
4500 INTERMEDIATE MAINTENANCE	48,792	48,792	48,792	48,792
4550 AIR OPERATIONS AND SAFETY SUPPORT	91,823	91,823	91,823	91,823
4600 AIRCRAFT DEPOT MAINTENANCE	746,924	788,024	746,924	773,124
4650 AIRCRAFT DEPOT OPERATIONS SUPPORT	20,649	20,649	20,649	20,649
4800 SHIP OPERATIONS				
4850 MISSION AND OTHER SHIP OPERATIONS	1,859,279	1,859,279	1,859,279	1,859,279
4900 SHIP OPERATIONAL SUPPORT AND TRAINING	536,641	536,641	536,641	536,641
4950 INTERMEDIATE MAINTENANCE	379,253	379,253	379,253	379,253
5000 SHIP DEPOT MAINTENANCE	2,365,144	2,420,144	2,377,144	2,432,144
5050 SHIP DEPOT OPERATIONS SUPPORT	1,143,818	1,143,818	1,166,818	1,166,818
5200 COMBAT OPERATIONS/SUPPORT				
5250 COMBAT COMMUNICATIONS	253,524	253,524	253,524	253,524
5300 ELECTRONIC WARFARE	7,600	7,600	7,600	7,600
5350 SPACE SYSTEMS AND SURVEILLANCE	156,329	156,329	156,329	156,329
5400 WARFARE TACTICS	121,645	126,645	126,645	129,645
5450 OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	244,484	244,484	254,484	254,484
5500 COMBAT SUPPORT FORCES	486,993	484,993	485,993	484,993
5550 EQUIPMENT MAINTENANCE	168,216	168,716	168,216	169,216
5600 DEPOT OPERATIONS SUPPORT	764	764	764	764
5750 WEAPONS SUPPORT				
5800 CRUISE MISSILE	146,555	146,555	146,555	146,555

(In thousands of dollars)

	Budget	House	Senate	Conference
5850 FLEET BALLISTIC MISSILE	812,619	812,619	802,619	807,619
5900 IN-SERVICE WEAPONS SYSTEMS SUPPORT	47,113	47,113	47,113	47,113
5950 WEAPONS MAINTENANCE	375,190	404,190	394,190	400,690
6100 WORKING CAPITAL FUND SUPPORT				
6150 NWCF SUPPORT	40,643	40,643	40,643	40,643
6200 BASE SUPPORT				
6210 REAL PROPERTY MAINTENANCE	391,856	391,856	391,856	391,856
6220 BASE SUPPORT	2,180,714	2,180,714	2,180,714	2,180,714
6230 TOTAL, BUDGET ACTIVITY 1	15,552,209	15,715,309	15,610,209	15,731,409
6250 BUDGET ACTIVITY 2: MOBILIZATION				
6300 READY RESERVE AND PREPOSITIONING FORCES				
6350 SHIP PREPOSITIONING AND SURGE	434,624	434,624	434,624	434,624
6400 ACTIVATIONS/INACTIVATIONS				
6450 AIRCRAFT ACTIVATIONS/INACTIVATIONS	2,966	2,966	2,966	2,966
6500 SHIP ACTIVATIONS/INACTIVATIONS	281,229	281,229	281,229	281,229
6550 MOBILIZATION PREPAREDNESS				
6600 FLEET HOSPITAL PROGRAM	23,018	23,018	23,018	23,018
6650 INDUSTRIAL READINESS	1,089	1,589	1,089	1,589
6700 COAST GUARD SUPPORT	18,975	18,975	18,975	18,975
6750 TOTAL, BUDGET ACTIVITY 2	761,901	762,401	761,901	762,401
6800 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
6850 ACCESSION TRAINING				
6900 OFFICER ACQUISITION	79,873	79,873	79,873	79,873
6950 RECRUIT TRAINING	5,096	5,096	5,096	5,096
7000 RESERVE OFFICERS TRAINING CORPS (ROTC)	66,278	66,278	66,278	66,278

(In thousands of dollars)

	Budget	House	Senate	Conference
7150 BASIC SKILLS AND ADVANCED TRAINING				
7200 SPECIALIZED SKILL TRAINING	251,459	251,459	251,459	251,459
7250 FLIGHT TRAINING	320,486	320,486	320,486	320,486
7300 PROFESSIONAL DEVELOPMENT EDUCATION	85,374	92,874	87,074	94,074
7350 TRAINING SUPPORT	212,318	220,318	212,318	220,318
7500 RECRUITING, AND OTHER TRAINING AND EDUCATION				
7550 RECRUITING AND ADVERTISING	187,852	192,852	187,852	197,852
7600 OFF-DUTY AND VOLUNTARY EDUCATION	79,609	79,609	79,609	79,609
7650 CIVILIAN EDUCATION AND TRAINING	46,632	46,632	45,632	45,632
7700 JUNIOR ROTC	23,048	26,548	26,548	26,448
7820 REAL PROPERTY MAINTENANCE	47,303	47,303	47,303	47,303
7830 BASE SUPPORT	317,198	317,198	317,198	317,198
7850 TOTAL, BUDGET ACTIVITY 3	1,722,526	1,746,526	1,726,726	1,751,626
7900 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
7950 SERVICEWIDE SUPPORT				
8000 ADMINISTRATION	648,209	638,909	617,435	605,509
8050 EXTERNAL RELATIONS	16,765	16,765	17,265	17,065
8100 CIVILIAN MANPOWER AND PERSON MANAGEMENT	120,677	120,677	120,677	120,677
8150 MILITARY MANPOWER AND PERSON MANAGEMENT	88,319	88,319	88,319	88,319
8200 OTHER PERSONNEL SUPPORT	203,096	203,096	203,096	203,096
8250 SERVICEWIDE COMMUNICATIONS	369,665	365,665	365,665	365,665
8425 COMMISSARY OPERATIONS	263,070	263,070	263,070	263,070
8450 LOGISTICS OPERATIONS AND TECHNICAL SUPPORT				
8500 SERVICEWIDE TRANSPORTATION	161,738	161,738	161,738	161,738
8550 PLANNING, ENGINEERING AND DESIGN	329,808	329,808	329,808	329,808
8600 ACQUISITION AND PROGRAM MANAGEMENT	681,715	686,715	681,715	685,215
8650 AIR SYSTEMS SUPPORT	271,426	271,426	256,426	261,426
8700 HULL, MECHANICAL AND ELECTRICAL SUPPORT	50,073	50,073	50,073	50,073
8750 COMBAT/WEAPONS SYSTEMS	46,671	48,671	46,671	47,671
8800 SPACE AND ELECTRONIC WARFARE SYSTEMS	70,288	70,288	70,288	70,288

(In thousands of dollars)

	Budget	House	Senate	Conference
8950 SECURITY PROGRAMS				
9000 SECURITY PROGRAMS	584,390	577,490	584,390	580,890
9150 SUPPORT OF OTHER NATIONS				
9200 INTERNATIONAL HEADQUARTERS AND AGENCIES	8,431	8,431	8,431	8,431
9220 REAL PROPERTY MAINTENANCE	101,868	101,868	121,868	120,868
9230 BASE SUPPORT	185,870	185,870	193,370	193,370
9350 TOTAL, BUDGET ACTIVITY 4	4,202,079	4,188,879	4,180,305	4,173,179
9355 REAL PROPERTY MAINTENANCE	---	508,369	598,369	493,369
9357 FORCE PROTECTION ASHORE	---	36,400	12,000	20,000
9360 CLASSIFIED PROGRAMS UNDISTRIBUTED	---	5,500	2,000	2,500
9370 GENERAL REDUCTION, NATIONAL DEFENSE STOCKPILE FUND	-50,000	-50,000	-50,000	-50,000
9395 BASE SUPPORT	---	91,200	---	50,000
9540 NAVY ENVIRONMENTAL LEADERSHIP PROGRAM	---	5,000	---	4,000
9590 EXECUTIVE EDUCATION DEMONSTRATION PROJECT	---	1,000	---	1,000
9600 SPARES	---	85,000	---	85,000
9700 MANAGEMENT HEADQUARTERS	---	-35,000	---	-35,000
9705 REDUCTION IN JCS EXERCISES	---	-2,000	---	-2,000
9710 CONTRACT AND ADVISORY SERVICES	---	-10,000	---	-10,000
9725 COMMUNICATIONS REDUCTION	---	-19,000	---	-19,000
9730 MARITIME FIRE TRAINING CENTER	---	---	---	300
9750 TOTAL, OPERATION AND MAINTENANCE, NAVY	22,188,715	23,029,584	22,841,510	22,958,784
9800 TRANSFER	(50,000)	(50,000)	(50,000)	(50,000)
9850 TOTAL FUNDING AVAILABLE	(22,238,715)	(23,079,584)	(22,891,510)	(23,008,784)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
4400 Flying Hours (Marine Aviation Logistics CH–46/T–58)	20,000
4400 UAV Flight Hours	2,000
4450 Contractor Maintenance Support (Marine Corps Aviation)	1,450
4450 Rotational Training—Naval Air Strike Airwarfare Center	2,000
4600 Depot Maintenance—Aircraft and Support Equipment Rework	24,000
4600 Depot Maintenance—EA–6B Depot Support (Marine Corps Aviation)	1,600
4600 Depot Maintenance—EA–6B Pod Repair (Marine Corps Aviation)	600
4500 Depot Maintenance—Ship Depot Maintenance	55,000
4500 Shipyard Apprentice Program	12,000
5050 Ship Depot Operations Support PHNSY ship repair	23,000
5400 Joint Warfare Analysis Center	3,000
5400 Warfare Tactics PMRF facilities improvements	5,000
5450 Operational Meteorology and oceanography	7,000
5450 UNOLS	3,000
5450 Unjustified Growth for USACOM	−2,000
5550 Reverse Osmosis Desalinators	1,000
5850 Fleet Ballistic missile underexecution	−5,000
5950 Depot Maintenance—Aegis Cruiser Upgrade Program	7,450
5950 Depot Maintenance—MK–45 Overhaul	10,000
5950 Depot Maintenance—CWIS Overhaul	4,000
5950 Pioneer UAV Flight Hours/Weapons Maintenance	4,000
Budget Activity 2: Mobilization:	
6650 NWS Concord	450
Budget Activity 3: Training and Recruiting:	
7300 Center for Non-Proliferation Studies, Monterey	4,000
7300 Naval Postgraduate School—Facility Maintenance	2,000
7300 Defense Language Institute	1,000
7300 Professional Development Education Asia Pacific Center	1,700
7350 CNET	4,000
7350 Navy Electricity and Electronics Training	4,000
7550 Recruiting and Advertising	10,000
7650 Civilian Education and Training	−1,000
7700 Junior ROTC	3,400
Budget Activity 4: Administration and Servicewide Activities:	
8000 DFAS Reduction	−9,300
8000 Pentagon Renovation	−33,400
8050 Public Service Initiative	300
8250 Servicewide Communications	−4,000
8600 ATIS	2,450
8600 Object Oriented Simulations/Reengineering	1,000
8650 Air Systems Support underexecution	−10,000
8750 Integrated Combat Systems Test Facility Support	1,000
9000 Security Programs (DSS)	−3,450
9220 Barrow landfill	3,000
9220 Ford Island improvements	8,000
9220 USS Iowa relocation	3,000
9220 Adak facilities remediation	5,000
9230 Adak base support	7,450
Undistributed:	
9355 Real Property Maintenance (Transfer from Quality of Life Enhancements)	493,369
9357 Force Protection (Afloat)	12,000
9357 Force Protection (Ashore)	8,000
9360 Classified Programs Undistributed	2,450
9395 Base Operations Support	50,000
9540 Navy Environmental Leadership Program	4,000
9590 Executive Education Demonstration Project	1,000
9600 Spares	85,000
9700 Management Headquarters	−35,000
9705 Reduction in JCS Exercises	−2,000
9710 Contract and Advisory Services	−10,000
9725 Communications Reduction	−19,000
9730 Maritime Fire Training Center	300

MARITIME FIRE TRAINING CENTER

Of the funds provided in Operation and Maintenance, Navy, $300,000 shall be used only for final design, site planning, preparation and development, and materials and equipment acquisition for the Maritime Fire Training Center at MERTS.

EXECUTIVE EDUCATION DEMONSTRATION PROGRAM

The conference agreement provides $1,000,000 of the funds from Operation and Maintenance, Navy for the Executive Education Demonstration Program at the University of San Diego. This initiative provides local executive education to naval personnel in the region including an enhanced doctoral program in leadership and an intensive executive management training in global leadership for senior line officers. The program will be offered on-site, at naval installations, and by means of distance learning at remote sites and at sea.

REGIONAL TELECOMMUNICATIONS SYSTEM

The conferees direct that of the funds provided in Operation and Maintenance, Navy not less than $2,000,000 shall be available only for the Integrated Regional Telecommunications System in the Pacific Northwest.

PACIFIC MISSILE RANGE FACILITY

The conferees agree to increase funding for Tactical Warfare by $5,000,000 to improve facilities at the Pacific Missile Range as recommended by the Senate. This increase is in addition to the funding which shall be provided to sustain base and range operations at PMRF at the fiscal year 1999 level.

CONCORD NWS JOINT USE REPORT

The conferees agree that the due date for the joint use report specified in the House report shall be January 15, 2000.

OCEANOGRAPHIC RESEARCH

Within the funds provided for Operation and Maintenance, Navy, the conferees direct that $7,450,000 be used only to fund backlogs in oceanographic research.

OPERATION AND MAINTENANCE, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
9900 OPERATION AND MAINTENANCE, MARINE CORPS				
9950 BUDGET ACTIVITY 1: OPERATING FORCES				
10000 EXPEDITIONARY FORCES 10050 OPERATIONAL FORCES	378,762	451,162	394,862	433,562
10100 FIELD LOGISTICS	231,138	246,038	231,138	238,238
10150 DEPOT MAINTENANCE	96,685	116,685	96,685	116,685
10200 BASE SUPPORT	712,187	712,187	712,187	712,187
10250 MAINTENANCE OF REAL PROPERTY	247,401	247,401	247,401	247,401
10300 USMC PREPOSITIONING 10350 MARITIME PREPOSITIONING	81,849	83,849	81,849	83,849
10400 NORWAY PREPOSITIONING	3,770	3,770	3,770	3,770
10450 TOTAL, BUDGET ACTIVITY 1	1,751,792	1,861,092	1,767,892	1,835,692
10500 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
10550 ACCESSION TRAINING 10600 RECRUIT TRAINING	9,917	9,917	9,917	9,917
10650 OFFICER ACQUISITION	294	294	794	794
10700 BASE SUPPORT	55,333	55,333	55,333	55,333
10750 MAINTENANCE OF REAL PROPERTY	18,557	18,557	18,557	18,557
10800 BASIC SKILLS AND ADVANCED TRAINING 10850 SPECIALIZED SKILLS TRAINING	31,443	31,443	31,443	31,443
10900 FLIGHT TRAINING	162	162	162	162
10950 PROFESSIONAL DEVELOPMENT EDUCATION	8,575	8,575	8,575	8,575
11000 TRAINING SUPPORT	84,800	84,800	85,800	85,800
11050 BASE SUPPORT	57,212	57,212	57,212	57,212
11100 MAINTENANCE OF REAL PROPERTY	24,262	24,262	24,262	24,262

(In thousands of dollars)

	Budget	House	Senate	Conference
11150 RECRUITING AND OTHER TRAINING EDUCATION				
11200 RECRUITING AND ADVERTISING	90,953	95,953	90,953	100,953
11250 OFF-DUTY AND VOLUNTARY EDUCATION	14,879	17,879	14,879	16,379
11300 JUNIOR ROTC	9,506	11,506	10,856	11,106
11350 BASE SUPPORT	8,032	8,032	8,032	8,032
11400 MAINTENANCE OF REAL PROPERTY	2,447	2,447	2,447	2,447
11450 TOTAL, BUDGET ACTIVITY 3	416,372	426,372	419,222	430,972
11500 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
11550 SERVICEWIDE SUPPORT				
11650 SPECIAL SUPPORT	229,433	227,433	209,468	227,433
11700 SERVICEWIDE TRANSPORTATION	28,632	28,632	28,632	28,632
11750 ADMINISTRATION	25,241	25,241	25,241	25,241
11800 BASE SUPPORT	14,569	14,569	14,569	14,569
11850 MAINTENANCE OF REAL PROPERTY	2,056	2,056	2,056	2,056
11875 COMMISSARY OPERATIONS	90,834	90,834	90,834	90,834
11900 TOTAL, BUDGET ACTIVITY 4	390,765	388,765	370,800	388,765
11905 REAL PROPERTY MAINTENANCE	---	120,225	200,225	120,225
11945 BASE SUPPORT	---	10,000	---	10,000
12030 REDUCTION IN JCS EXERCISES	---	-2,400	---	-2,400
12070 MARINE CORPS SECURITY GUARDS	---	4,100	---	4,100
12075 SPARES/WRM	---	25,000	---	25,000
12085 COMMUNICATIONS REDUCTION	---	-150	---	-150
12090 IRV TRANSFER	---	-11,000	---	-3,850
12300 TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	2,558,929	2,822,004	2,758,139	2,808,354

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
10050 Soldier Support—Initial Issue	15,000
10050 Rotational Training—MCAGCC Improvements	25,700
10050 Training and OPTEMPO (III MEF Airlift Requirements)	10,000
10050 Soldier Support—Body Armor	3,000
10050 NBC Defense Equipment	1,100
10100 Corrosion Control	6,000
10100 Fuel Conversion to JP 5/8	1,100
10150 Depot Maintenance	20,000
10350 Care in Storage (WRM Materials)	2,000
Budget Activity 3: Training and Recruiting:	
10650 Naval ROTC-Marine Option	450
11000 Distance Learning	1,000
11200 Recruiting and Advertising	10,000
11250 Off-Duty and Voluntary Eduation	1,450
11300 Junior ROTC	1,600
Budget Activity 4: Administration and Servicewide Activities:	
11650 DFAS Reduction	−2,000
Undistributed:	
11905 Real Property Maintenance (Transfer from Quality of Life Enhancements)	120,225
11945 Base Operations Support	10,000
12030 Reduction in JCS Exercises	−2,400
12070 Marine Corps Security Guards	4,100
12075 Spares/War Reserve Materiel	25,000
12085 Communications Reductions	−150
12090 IRV Transfer	−3,850

SOLDIER SUPPORT INITIATIVES

Within the adjustments provided for Soldier Support, the conferees recommend that continued requirements for enhanced pack systems be sustained at current levels.

OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
12450 OPERATION AND MAINTENANCE, AIR FORCE				
12500 BUDGET ACTIVITY 1: OPERATING FORCES				
12550 AIR OPERATIONS				
12600 PRIMARY COMBAT FORCES	2,401,247	2,405,247	2,436,247	2,430,247
12650 PRIMARY COMBAT WEAPONS	264,665	265,665	264,665	265,165
12700 COMBAT ENHANCEMENT FORCES	204,091	204,091	203,091	203,091
12750 AIR OPERATIONS TRAINING	657,352	699,652	657,352	699,652
12775 DEPOT MAINTENANCE	1,096,870	1,130,370	1,096,870	1,117,870
12800 COMBAT COMMUNICATIONS	936,390	934,390	934,390	934,390
12850 BASE SUPPORT	1,835,256	1,835,256	1,835,256	1,835,256
12900 MAINTENANCE OF REAL PROPERTY	577,565	577,565	577,565	577,565
12950 COMBAT RELATED OPERATIONS				
13000 GLOBAL C3I AND EARLY WARNING	665,827	665,827	645,827	650,827
13050 NAVIGATION/WEATHER SUPPORT	136,485	136,485	141,485	141,485
13100 OTHER COMBAT OPS SUPPORT PROGRAMS	247,715	252,976	257,715	251,976
13150 JCS EXERCISES	34,588	34,588	34,588	34,588
13200 MANAGEMENT/OPERATIONAL HEADQUARTERS	123,289	123,289	123,289	123,289
13250 TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	254,547	254,547	254,547	254,547

(In thousands of dollars)

	Budget	House	Senate	Conference
13300 SPACE OPERATIONS				
13350 LAUNCH FACILITIES	218,743	228,743	218,743	228,743
13400 LAUNCH VEHICLES	112,504	112,504	97,504	112,504
13450 SPACE CONTROL SYSTEMS	259,203	259,203	234,203	244,203
13500 SATELLITE SYSTEMS	52,753	52,753	52,753	52,753
13550 OTHER SPACE OPERATIONS	90,461	90,461	90,461	90,461
13600 BASE SUPPORT	324,539	324,539	324,539	324,539
13650 MAINTENANCE OF REAL PROPERTY	55,960	55,960	55,960	55,960
13700 TOTAL, BUDGET ACTIVITY 1	10,550,050	10,644,111	10,537,050	10,629,111
13750 BUDGET ACTIVITY 2: MOBILIZATION				
13800 MOBILITY OPERATIONS				
13850 AIRLIFT OPERATIONS	1,359,999	1,759,499	1,359,999	1,361,999
13900 AIRLIFT OPERATIONS C3I	30,401	30,401	30,401	30,401
13950 MOBILIZATION PREPAREDNESS	142,983	142,983	142,983	142,983
13975 DEPOT MAINTENANCE	312,062	317,462	312,062	316,062
14000 PAYMENTS TO TRANSPORTATION BUSINESS AREA	312,237	312,237	312,237	312,237
14050 BASE SUPPORT	455,730	455,730	455,730	455,730
14100 MAINTENANCE OF REAL PROPERTY	72,147	72,147	72,147	72,147
14150 TOTAL, BUDGET ACTIVITY 2	2,685,559	3,090,459	2,685,559	2,691,559

(In thousands of dollars)

	Budget	House	Senate	Conference
14200 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
14250 ACCESSION TRAINING				
14300 OFFICER ACQUISITION	60,067	60,067	60,067	60,067
14350 RECRUIT TRAINING	4,494	4,494	4,494	4,494
14400 RESERVE OFFICER TRAINING CORPS (ROTC)	58,012	58,012	58,012	58,012
14450 BASE SUPPORT (ACADEMIES ONLY)	20,263	20,263	18,263	18,263
14500 MAINTENANCE OF REAL PROPERTY (ACADEMIES ONLY)	63,119	63,119	63,119	63,119
14550 BASIC SKILLS AND ADVANCED TRAINING				
14600 SPECIALIZED SKILL TRAINING	240,449	240,449	240,449	240,449
14650 FLIGHT TRAINING	471,526	471,526	471,526	471,526
14700 PROFESSIONAL DEVELOPMENT EDUCATION	98,868	98,868	98,868	98,868
14750 TRAINING SUPPORT	69,964	69,964	69,964	69,964
14775 DEPOT MAINTENANCE	14,532	14,532	14,532	14,532
14800 BASE SUPPORT (OTHER TRAINING)	411,644	411,644	401,644	401,644
14850 MAINTENANCE OF REAL PROPERTY (OTHER TRAINING)	63,610	63,610	63,610	63,610
14900 RECRUITING, AND OTHER TRAINING AND EDUCATION				
14950 RECRUITING AND ADVERTISING	102,502	111,802	102,502	112,502
15000 EXAMINING	3,036	3,036	3,036	3,036
15050 OFF DUTY AND VOLUNTARY EDUCATION	87,587	87,587	87,587	87,587
15100 CIVILIAN EDUCATION AND TRAINING	72,475	72,475	71,475	71,475
15150 JUNIOR ROTC	26,095	41,095	30,095	30,095
15200 TOTAL, BUDGET ACTIVITY 3	1,868,243	1,892,543	1,859,243	1,869,243

(In thousands of dollars)

	Budget	House	Senate	Conference
15250 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
15300 LOGISTICS OPERATIONS				
15350 LOGISTICS OPERATIONS	744,819	750,254	744,819	748,819
15400 TECHNICAL SUPPORT ACTIVITIES	398,063	398,063	398,063	398,063
15450 SERVICEWIDE TRANSPORTATION	217,401	217,401	217,401	217,401
15475 DEPOT MAINTENANCE	58,334	58,334	58,334	58,334
15500 BASE SUPPORT	1,109,593	1,109,593	1,037,093	1,068,193
15550 MAINTENANCE OF REAL PROPERTY	245,214	245,214	280,114	275,114
15600 SERVICEWIDE ACTIVITIES				
15650 ADMINISTRATION	150,381	146,200	150,381	146,200
15700 SERVICEWIDE COMMUNICATIONS	346,821	342,821	342,821	342,821
15750 PERSONNEL PROGRAMS	130,710	119,310	130,710	119,310
15800 RESCUE AND RECOVERY SERVICES	60,228	60,228	60,228	60,228
15900 ARMS CONTROL	35,477	35,477	27,477	27,477
15950 OTHER SERVICEWIDE ACTIVITIES	619,830	610,430	615,830	606,430
16000 OTHER PERSONNEL SUPPORT	31,812	31,812	28,812	28,812
16050 CIVIL AIR PATROL CORPORATION	13,970	21,470	26,470	21,470
16075 COMMISSARY OPERATIONS	309,061	309,061	309,061	309,061
16100 BASE SUPPORT	158,343	158,843	158,343	158,843
16150 MAINTENANCE OF REAL PROPERTY	18,277	18,277	18,277	18,277
16200 SECURITY PROGRAMS				
16250 SECURITY PROGRAMS	596,798	589,498	596,798	593,198
16300 SUPPORT TO OTHER NATIONS				
16350 INTERNATIONAL SUPPORT	14,219	14,219	14,219	14,219
16400 TOTAL, BUDGET ACTIVITY 4	5,259,351	5,236,505	5,215,251	5,212,270

(In thousands of dollars)

		Budget	House	Senate	Conference
16410	CLASSIFIED PROGRAMS UNDISTRIBUTED	---	-800	12,500	6,400
16420	GENERAL REDUCTION, NATIONAL DEFENSE STOCKPILE FUND	-50,000	-50,000	-50,000	-50,000
16480	BASE SUPPORT	---	109,300	---	65,000
16670	FORCE PROTECTION INFRASTRUCTURE	---	5,000	---	5,000
16680	REAL PROPERTY MAINTENANCE	---	400,826	500,826	400,826
16700	SPARES	---	115,000	---	85,000
16775	REAL PROPERTY SUPPORT	---	34,900	---	---
16795	NBC HIGH LEVERAGE PROGRAMS	---	18,800	---	9,000
16800	C130J LOGISTICS AND TRAINING	---	6,055	---	3,000
16810	ICBM PRIME CONTRACT	---	16,300	---	8,000
16825	AEF JOINT EXPERIMENTATION (JEFX)	---	35,600	---	---
16835	MANAGEMENT HEADQUARTERS	---	-20,000	---	-20,000
16840	REDUCTION IN JCS EXERCISES	---	-10,000	---	-10,000
16845	CONTRACT AND ADVISORY SERVICES	---	-10,000	---	-10,000
16850	RIVET JOINT SUPPORT	---	32,400	---	15,000
16855	AIR FORCE MTAP	---	4,000	---	4,000
16865	AIR FORCE ICS TRANSFER	---	106,100	---	---
16870	COMMUNICATIONS REDUCTION	---	-16,000	---	-16,000
16875	ADMINISTRATIVE UNDEREXECUTION	---	---	---	-450
16910	TOTAL, O&M, AIR FORCE	20,313,203	21,641,099	20,760,429	20,896,959
16920	TRANSFER	(50,000)	(50,000)	(50,000)	(50,000)
16940	TOTAL FUNDING AVAILABLE	(20,363,203)	(21,691,099)	(20,810,429)	(20,946,959)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
12600 Battlelabs	4,000
12600 B–52 attrition reserve	25,000
12650 Reverse Osmosis Desalinators	450
12700 Enhancement Forces mission planning system	−1,000
12750 Rotational Training—AETC Mission Essential Equipment	14,000
12750 Rotational Training—Utah Test and Training Range Support	11,700
12750 Rotational Training—Funding for Air Warfare Center Range Support	6,100
12750 Rotational Training—AETC Range Improvements	5,900
12750 Rotational Training—Funding for Air Warfare Center Fiber Link	4,600
12775 Depot Maintenance	20,000
12775 Object Oriented Simulations/Reengineering	1,000
12800 Communications, Other Contracts	−2,000
13000 Global C3I, Early Warning underexecution	−15,000
13050 University Partnering for Operational Support	5,000
13100 Power Scene	3,000
13100 SIMVAL	1,261
13350 Launch Facility Enhancements	10,000
13450 Space Control Systems underexecution	−15,000
Budget Activity 2: Mobilization:	
13850 Airlift Operations (C–17 Sustainability)	2,000
13975 Depot Maintenance	4,000
Budget Activity 3: Training and Recruiting:	
14450 RPM	−2,000
14800 Base Support and Other Training	−10,000
14950 Recruiting and Advertising	10,000
15100 Civilian education and training	−1,000
15150 Junior ROTC	4,000
Budget Activity 4: Administration and Servicewide Activities:	
15350 REMIS	3,000
15350 Joint Service ammo management automated info system JAMSS	1,000
15450 Pentagon renovation	−41,400
15550 RPM-Eielson utilidors	9,900
15550 Tinker and Altus base repairs	20,000
15650 Acquisition Travel and Contracts	−4,181
15700 Servicewide Communications	−4,000
15750 Personnel Programs	−11,400
15900 Arms control underexecution	−8,000
15950 DFAS Reduction	−9,400
15950 Other servicewide activities, other contracts	−4,000
16000 Personnel Support underexecution	−3,000
16050 Civil Air Patrol Corporation	7,450
16100 William Lehman Aviation Center	450
16250 Security Programs (DSS)	−3,600
Undistributed:	
16410 Classified Undistributed	6,400
16480 Base Operations Support	65,000
16670 Force Protection Infrastructure	5,000
16680 Real Property Maintenance (Transfer from Quality of Life Enhancements)	400,826
16700 Spares	85,000
16795 NBC High Leverage Programs	9,000
16800 C130J Logistics and Training	3,000
16810 ICBM Prime Contract	8,000
16835 Management Headquarters	−20,000
16840 Reduction in JCS Exercises	−10,000
16845 Contact and Advisory Services	−10,000
16850 Depot Maintenance—Rivet Joint #15–16/COBRA BALL 3	15,000
16855 Air Force MTAP	4,000
16870 Communications Reduction	−16,000
16875 Administrative underexecution	−450

RADIOACTIVE IODINE EXPERIMENTATION

The conferees strongly support the Air Force in its efforts to provide funding for the North Slope Borough for costs and expenditures associated with health care, monitoring and other issues arising from experimentation conducted in the 1950s. The conferees direct the Air Force to resolve this matter as soon as possible.

MTAPP

The conference agreement includes $4,000,000 above the budget request for MTAPP program. Of this amount, not less than $2,000,000 shall be available to the current pilot program manager, and $2,000,000 to expand the program to Pennsylvania.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
16950 OPERATION AND MAINTENANCE, DEFENSE-WIDE				
17000 BUDGET ACTIVITY 1: OPERATING FORCES				
17050 JOINT CHIEFS OF STAFF	382,269	347,269	389,269	379,269
17100 SPECIAL OPERATIONS COMMAND	1,219,698	1,217,198	1,219,698	1,217,698
17150 TOTAL, BUDGET ACTIVITY 1	1,601,967	1,564,467	1,608,967	1,596,967
17200 BUDGET ACTIVITY 2: MOBILIZATION				
17250 DEFENSE LOGISTICS AGENCY	38,312	41,312	48,312	39,812
17350 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
17450 AMERICAN FORCES INFORMATION SERVICE	9,512	9,512	9,512	9,512
17460 DEFENSE ACQUISITION UNIVERSITY	100,380	102,380	100,380	101,380
17470 DEFENSE FINANCE AND ACCOUNTING SERVICE	18,000	18,000	18,000	18,000
17480 DEFENSE HUMAN RESOURCES ACTIVITY	58,100	58,100	58,100	58,100
17490 DEFENSE SECURITY SERVICE	7,254	7,254	7,254	7,254
17510 DEFENSE THREAT REDUCTION AGENCY	913	913	913	913
17600 SPECIAL OPERATIONS COMMAND	44,344	44,344	44,344	44,344
17650 TOTAL, BUDGET ACTIVITY 3	238,503	240,503	238,503	239,503
17700 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
17750 AMERICAN FORCES INFORMATION SERVICE	95,865	95,865	95,865	95,865
17775 CIVIL MILITARY PROGRAMS	87,503	73,803	88,503	88,803
17800 CLASSIFIED AND INTELLIGENCE	4,067,679	4,079,279	4,100,579	4,133,629
17900 DEFENSE CONTRACT AUDIT AGENCY	340,624	333,624	340,624	336,624
17950 DEFENSE FINANCE AND ACCOUNTING SERVICE	27,138	27,138	27,138	27,138
18000 DEFENSE HUMAN RESOURCES ACTIVITY	190,226	155,026	190,226	153,026
18050 DEFENSE INFORMATION SYSTEMS AGENCY	822,904	822,904	822,904	822,904
18150 DEFENSE LEGAL SERVICES AGENCY	9,483	9,483	9,483	9,483

(In thousands of dollars)

		Budget	House	Senate	Conference
18200	DEFENSE LOGISTICS AGENCY	1,186,236	1,207,736	1,188,236	1,227,236
18300	DEFENSE POW/MISSING PERSONS OFFICE	14,505	14,505	14,505	14,505
18310	DEFENSE SECURITY ASSISTANCE AGENCY	65,638	63,638	65,638	63,638
18320	DEFENSE SECURITY SERVICE	84,395	84,395	84,395	84,395
18475	DEFENSE THREAT REDUCTION AND TREATY COMPLIANCE AGENCY	195,533	189,033	180,033	180,033
18500	DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,376,909	1,378,909	1,387,309	1,387,309
18600	JOINT CHIEFS OF STAFF	158,647	158,147	158,647	157,647
18650	OFFICE OF ECONOMIC ADJUSTMENT	30,940	42,940	50,940	77,940
18700	OFFICE OF THE SECRETARY OF DEFENSE	423,493	429,293	448,793	429,593
18850	SPECIAL OPERATIONS COMMAND	40,263	40,263	40,263	40,263
18900	WASHINGTON HEADQUARTERS SERVICE	322,470	282,970	322,470	294,470
18950	TOTAL, BUDGET ACTIVITY 4	9,540,451	9,488,951	9,616,551	9,624,501
18960	LEGACY	---	---	15,000	15,000
18965	SECURITY LOCKS	---	---	10,000	---
19110	IMPACT AID	---	35,000	---	30,000
19250	JCS MOBILITY ENHANCEMENT FUND	---	50,000	---	25,000
19295	HUMAN RESOURCES ENTERPRISE STRATEGY	---	7,500	---	4,000
19305	MANAGEMENT HEADQUARTERS REDUCTION	---	-40,000	---	-30,000
19335	CONTRACT AND ADVISORY SERVICES	---	-10,000	---	-10,000
19336	COMMUNITY RETRAINING INITIATIVE	---	---	---	8,000
19341	UNITED SERVICE ORGANIZATIONS	---	25,000	---	---
19347	PENTAGON RENOVATION TRANSFER	---	---	---	-68,300
19348	ARMED FORCES RETIREMENT HOME RPM	---	---	---	5,000
19349	PACIFIC COMMAND REGIONAL INITIATIVE	---	---	---	10,000
19350	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	11,419,233	11,402,733	11,537,333	11,489,483
19450	TOTAL FUNDING AVAILABLE	(11,419,233)	(11,402,733)	(11,537,333)	(11,489,483)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the Budget Activities are as follows:

[In thousands of dollars]

Budget Activity I: Operating Forces:	
17050 JCS—Joint Exercises	−10,000
17050 JCS—Exercise Northern Edge	7,000
17100 SOCOM—ASDS Slip/Realignment	−3,000
17100 SOCOM—NSWG—1	450
17100 SOCOM—JTT/CIBS—M	450
Budget Activity 2: Mobilization:	
17250 DLA—Warstopper	1,450
Budget Activity 3: Training and Recruiting:	
17460 DAU—IT Organizational Composition Research	1,000
Budget Activity 4: Administration and Servicewide Activities:	
17775 Civil—Military Programs	1,300
17800 Classified and Intelligence	65,950
17900 DCAA—Low priority program growth	−4,000
18000 DHRA—DIMHRS transfer	−41,200
18000 DHRA—DEERS	4,000
18200 DLA—Automated Document Conversion	30,000
18200 DLA—Security Locks	10,000
18200 DLA—Performance Measures	−5,000
18200 DLA—Improved Cargo Methods	4,000
18200 DLA—Midway Fuel Resupply	2,000
18310 DSCA—Performance Measures	−2,000
18475 DTRA—OSIA Treaty Implementation	−13,450
18475 DTRA—Performance Measures	−2,000
18450 DoDEA—Math Teacher Leadership	400
18450 DoDEA—WIC Program Overseas	1,000
18450 DoDEA—Special Education Support	5,000
18450 DoDEA—Technology Innovation and Teacher Education	4,000
18600 JCS—JMEANS	4,000
18600 JCS—Management Support	−5,000
18650 OEA—Fitzsimmons Army Hospital	10,000
18650 OEA—Pico Rivera	2,000
18650 OEA—Fort Ord conversion support	5,000
18650 OEA—San Diego Conversion Center	5,000
18650 OEA—Philadelphia Naval Shipyard	7,450
18650 OEA—Charleston Naval Shipyard	7,450
18650 OEA—Charleston Macalloy site	10,000
18700 OSD—C4ISR	3,000
18700 OSD—NE/SA Center for Security Studies	1,000
18700 OSD—Middle East Regional Security Issues	1,000
18700 OSD—Energy Savings Contracts	4,000
18700 OSD—Job Placement Program	4,000
18700 OSD—Youth Development and Leadership Program	300
18700 OSD—Performance Measures	−10,000
18700 OSD—Youth Development Initiative	2,450
18700 OSD—Management and Contract Support	−8,000
18700 OSD—(A&T) Travel and Contracts	−10,000
18700 OSD—Commercial Technology for Maintenance Activities	8,000
18700 OSD—Pacific Disaster Center	4,000
18700 OSD—Clara Barton Center	1,300
18700 OSD—Funeral Honors for Veterans	5,000
18900 WHS—Low priority programs	−10,000
18900 WHS—Defense Travel Service	−19,000
18900 WHS—Emergency Notification	1,000
Undistributed:	
18960 Undistributed—Legacy	15,000
19110 Undistributed—Impact Aid	30,000
19250 Undistributed—Mobility Enhancements	25,000
19295 Undistributed—Human Resources Enterprise Strategy	4,000
19305 Undistributed—Headquarters and Management	−30,000
19335 Undistributed—Contract and Advisory Services	−10,000
19336 Undistributed—Community Retraining Initiative	8,000
19347 Undistributed—Pentagon Renovation Transfer Fund	−68,300
19348 Undistributed—Armed Forces Retirement Homes (RPM)	5,000
19349 Undistributed—Pacific Command Regional Initiative	10,000

DEFENSE ACQUISITION UNIVERSITY

From within the funds provided for the Defense Acquisition University, up to $5,000,000 may be spent on a pilot program using state-of-the-art training technology that would train the acquisition workforce in a simulated government procurement environment.

CIVIL/MILITARY PROGRAMS

The conferees recommend a total of $83,803,000 for the Department's civil/military programs for fiscal year 2000 as shown below. The conferees direct the Department to report to the Committees on Appropriations on the status of the obligation of these funds not later than March 15, 2000.

[Dollars in thousands]

National Guard Youth Challenge Program	$62,503
Innovative Readiness Training Program	20,000
Starbase Program	6,300
Total	88,803

IMPROVED CARGO METHODS

The conferees recommend $4,000,000, only to test, develop and implement cost saving opportunities identified in ongoing studies of private sector logistics technology, practices and procedures to move military cargo more cheaply, with greater speed and with greater reliability. To ensure diverse views of the state of the art in third party logistics management and other emerging techniques are brought to bear, the conferees intend that these funds be used to provide the Government access to a range of qualified organizations or entities having detailed knowledge of commercial logistics processes that may have value for the military.

CHILD CARE FACILITIES

The conferees are concerned that service members in some career fields with extended duty requirements are experiencing problems with access to day care facilities. The conferees direct the Department to report, no later than April 1, 2000, on the day care access policies of the various services, with particular attention to the problems generated by extended duty requirements.

In addition, the conferees direct the Department to review how the Services could expand the use of the Family Child Care subsidy program. The report should include options to address the needs of families who require extended hours of child care as a result of irregular duty hours or temporary duty deployments, and the costs associated with any such policy changes.

UNALLOCATED REDUCTIONS

The House report included language in Operation and Maintenance, Defense-wide, specifically exempting the Joint Vision 2010 initiative and the Office of Net Assessment from any unallocated reductions. The Senate had no such provision. The House recedes to the Senate.

ARMED FORCES RETIREMENT HOMES

The conferees provide $5,000,000 to be available for real property maintenance and repair requirements at the Armed Forces Retirement Homes.

PACIFIC COMMAND REGIONAL INITIATIVE

The conferees agree to provide $10,000,000 to be available for the U.S. Pacific Command to enhance regional cooperation, military training, readiness and exercises. The Commander in Chief, U.S. Pacific Command, shall report to the House and Senate Committees on Appropriations on plans and priorities to utilize these funds to achieve key mission readiness and warfighting priorities not later than December 1, 1999.

STUDY GROUP ON MULTILATERAL EXPORT CONTROLS

The conferees direct that the Department convene a Study Group of senior-level executive branch and congressional officials, as well as outside experts, to develop the framework for a new effective, COCOM-like agreement that would regulate certain military useful goods and technologies on a multilateral basis. The final product shall be a written final report to be completed by January, 2001. The Department shall make available up to $1,000,000 from within the funds available in Operation and Maintenance, Defense-wide for this purpose.

Operation and Maintenance, Army Reserve

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
19500 OPERATION AND MAINTENANCE, ARMY RESERVE				
19550 BUDGET ACTIVITY 1: OPERATING FORCES				
19560 LAND FORCES				
19570 DIVISION FORCES	12,469	12,469	12,469	12,469
19580 CORPS COMBAT FORCES	26,496	26,496	26,496	26,496
19590 CORPS SUPPORT FORCES	196,704	196,704	196,704	196,704
19595 ECHELON ABOVE CORPS FORCES	99,091	99,091	99,091	99,091
19600 MISSION OPERATIONS				
19610 LAND FORCES OPERATIONS SUPPORT	299,852	299,852	299,852	299,852
19620 INCREASED OPTEMPO	---	20,000	---	10,000
19630 LAND FORCES READINESS				
19640 FORCES READINESS OPERATIONS SUPPORT	128,297	129,297	128,297	129,297
19650 LAND FORCES SYSTEM READINESS	32,172	32,172	32,172	32,172
19660 DEPOT MAINTENANCE	33,174	36,574	33,174	36,574
19670 LAND FORCES READINESS SUPPORT				
19680 BASE SUPPORT	314,261	324,261	314,261	319,261
19690 MAINTENANCE OF REAL PROPERTY	78,295	78,295	88,295	78,295
19710 UNIFIED COMMANDS	40	40	40	40
19720 ADDITIONAL ACTIVITIES	1,354	1,354	1,354	1,354
19900 TOTAL, BUDGET ACTIVITY 1	1,222,205	1,256,605	1,232,205	1,241,605

(In thousands of dollars)

	Budget	House	Senate	Conference
19950 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
20000 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
20025 ADMINISTRATION	31,108	31,108	31,108	31,108
20050 SERVICEWIDE COMMUNICATIONS	23,199	23,199	23,199	23,199
20060 PERSONNEL/FINANCIAL ADMINISTRATION	46,346	46,346	46,346	46,346
20070 RECRUITING AND ADVERTISING	46,355	71,355	46,355	64,355
20075 TOTAL, BUDGET ACTIVITY 4	147,008	172,008	147,008	165,008
20080 TRAINING DEPLOYMENTS	---	---	20,000	10,000
20090 REAL PROPERTY MAINTENANCE	---	10,000	---	10,000
20120 RECRUITING SUPPORT	---	3,500	---	3,000
20360 QOLE(D) RPM TRANSFER	---	39,563	39,563	39,563
20365 INFORMATION MANAGEMENT/OPERATIONS	---	31,400	---	---
20700 TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	1,369,213	1,513,076	1,438,776	1,469,176

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
19620 Mission Operations/Increased Optempo	10,000
19640 Forces Readiness Operations Support/Training Area Environmental Management	1,000
19660 Depot Maintenance	3,400
19680 Base Support	5,000
Budget Activity 4: Administration and Servicewide Activities:	
20070 Recruiting and Advertising	18,000
Undistributed:	
20080 Training Deployments	10,000
20090 Real Property Maintenance	10,000
20120 Recruiting Support	3,000
20360 Real Property Maintenance/Transfer from Quality of Life Enhancements	39,563

Operation and Maintenance, Navy Reserve

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
20850 OPERATION AND MAINTENANCE, NAVY RESERVE				
20900 BUDGET ACTIVITY 1: OPERATING FORCES				
20950 RESERVE AIR OPERATIONS 21000 MISSION AND OTHER FLIGHT OPERATIONS	283,792	283,792	283,792	283,792
21100 INTERMEDIATE MAINTENANCE	17,232	17,232	17,232	17,232
21150 AIR OPERATION AND SAFETY SUPPORT	3,829	3,829	3,829	3,829
21200 AIRCRAFT DEPOT MAINTENANCE	104,087	104,087	104,087	104,087
21250 AIRCRAFT DEPOT OPS SUPPORT	267	267	267	267
21400 RESERVE SHIP OPERATIONS 21450 MISSION AND OTHER SHIP OPERATIONS	72,200	72,200	72,200	72,200
21500 SHIP OPERATIONAL SUPPORT AND TRAINING	615	615	615	615
21550 INTERMEDIATE MAINTENANCE	9,323	9,323	9,323	9,323
21600 SHIP DEPOT MAINTENANCE	92,988	92,988	92,988	92,988
21650 SHIP DEPOT OPERATIONS SUPPORT	2,760	2,760	2,760	2,760
21700 RESERVE COMBAT OPERATIONS SUPPORT 21800 COMBAT SUPPORT FORCES	26,678	26,678	26,678	26,678
21950 RESERVE WEAPONS SUPPORT 22000 WEAPONS MAINTENANCE	5,224	5,224	5,224	5,224
22030 REAL PROPERTY MAINTENANCE	21,469	21,469	31,469	21,469
22040 BASE SUPPORT	155,805	155,805	155,805	155,805
22050 RECRUITING AND ADVERTISING	---	3,000	---	5,000
22060 RECRUITING SUPPORT	---	5,000	---	5,000
22090 TOTAL, BUDGET ACTIVITY 1	796,269	804,269	806,269	806,269
22100 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
22150 ADMINISTRATION AND SERVICEWIDE ACTIVITIES 22200 ADMINISTRATION	6,768	6,768	6,768	6,768
22250 CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	1,299	1,299	1,299	1,299

(In thousands of dollars)

		Budget	House	Senate	Conference
22300	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	24,551	24,551	24,551	24,551
22400	SERVICEWIDE COMMUNICATIONS	82,260	82,260	82,260	82,260
22550	COMBAT/WEAPONS SYSTEMS	5,899	5,899	5,899	5,899
22600	GENERAL DEFENSE INTELLIGENCE PROGRAM	601	601	601	601
22750	TOTAL, BUDGET ACTIVITY 4	121,378	121,378	121,378	121,378
22794	QOLE(D) RPM TRANSFER	---	13,831	13,831	13,831
22796	BASE OPERATIONS	---	10,000	5,000	7,500
22810	REAL PROPERTY MAINTENANCE	---	10,000	---	10,000
22815	CONTRIBUTORY SUPPORT TO CINCS	---	10,000	---	---
23150	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	917,647	969,478	946,478	958,978

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
22050 Recruiting and Advertising	5,000
22060 Recruiting Support	5,000
Undistributed:	
22794 Real Property Maintenance/Transfer from Quality of Life Enhancements	13,831
22796 Base Operations	7,450
22810 Real Property Maintenance	10,000

Operation and Maintenance, Marine Corps Reserve

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
23300 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE				
23350 BUDGET ACTIVITY 1: OPERATING FORCES				
23400 MISSION FORCES				
23450 TRAINING	18,121	18,121	18,121	18,121
23500 OPERATING FORCES	38,529	38,529	38,529	38,529
23550 BASE SUPPORT	14,588	14,588	14,588	14,588
23600 MAINTENANCE OF REAL PROPERTY	6,054	10,054	7,054	8,054
23650 DEPOT MAINTENANCE	11,350	11,350	12,850	11,350
23700 TOTAL, BUDGET ACTIVITY 1	88,642	92,642	91,142	90,642
23750 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
23800 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
23850 RECRUITING AND ADVERTISING	7,841	7,841	7,841	8,841
23900 SPECIAL SUPPORT	11,116	11,116	11,116	11,116
23950 SERVICEWIDE TRANSPORTATION	476	476	476	476
24000 ADMINISTRATION	7,441	7,441	7,441	7,441
24050 BASE SUPPORT	7,750	7,750	7,750	7,750
24105 TOTAL, BUDGET ACTIVITY 4	34,624	34,624	34,624	35,624

(In thousands of dollars)

	Budget	House	Senate	Conference
24110 INCREASED USE OF GUARD AND RESERVE	---	1,200	---	1,200
24220 QOLE(D) RPM TRANSFER	---	945	945	945
24250 INITIAL ISSUE	---	10,000	---	8,000
24260 782 GEAR ISSUE	---	3,000	---	---
24270 SPARES	---	1,500	---	1,500
24280 RECRUITING SUPPORT	---	---	---	1,000
24600 TOTAL, O&M, MARINE CORPS RESERVE	123,266	143,911	126,711	138,911

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
23600 Maintenance of Real Property	2,000
Budget Activity 4: Administration and Servicewide Activities:	
23850 Recruiting and Advertising	1,000
Undistributed:	
24110 Increased Use of Guard and Reserve	1,200
24220 Real Property Maintenance/Transfer from Quality of Life Enhancements	945
24250 Initial Issue	8,000
24270 Spares	1,450
24280 Recruiting Support	1,000

Operation and Maintenance, Air Force Reserve

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
24750 OPERATION AND MAINTENANCE, AIR FORCE RESERVE				
24800 BUDGET ACTIVITY 1: OPERATING FORCES				
24850 AIR OPERATIONS				
24900 PRIMARY COMBAT FORCES	1,058,142	1,058,142	1,058,142	1,058,142
24950 MISSION SUPPORT OPERATIONS	45,972	45,972	45,972	45,972
24970 DEPOT MAINTENANCE	265,429	280,429	265,429	275,429
25000 BASE SUPPORT	235,907	235,907	235,907	235,907
25050 MAINTENANCE OF REAL PROPERTY	38,474	38,474	48,474	38,474
25150 TOTAL, BUDGET ACTIVITY 1	1,643,924	1,658,924	1,653,924	1,653,924
25200 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
25250 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
25300 ADMINISTRATION	46,819	46,819	46,819	46,819
25350 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	20,254	20,254	20,254	20,254
25400 RECRUITING AND ADVERTISING	10,418	11,918	10,418	12,418
25410 RECRUITING SUPPORT	---	1,000	---	2,000
25450 OTHER PERSONNEL SUPPORT	6,390	6,390	6,390	6,390
25500 AUDIOVISUAL	632	632	632	632
25505 TOTAL, BUDGET ACTIVITY 4	84,513	87,013	84,513	88,513
25510 REAL PROPERTY MAINTENANCE	---	10,000	---	10,000
25520 BASE OPERATIONS	---	10,000	10,000	10,000
25558 QOLE(D) RPM TRANSFER	---	12,154	12,154	12,154
25570 C-130 OPERATIONS	---	10,000	---	8,000
25950 TOTAL, O&M, AIR FORCE RESERVE	1,728,437	1,788,091	1,760,591	1,782,591

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
24970 Depot Maintenance	10,000
Budget Activity 4: Administration and Servicewide Activities:	
25400 Recruiting and Advertising	2,000
25410 Recruiting Support	2,000
Undistributed:	
25510 Real Property Maintenance	10,000
25529 Base Operations	10,000
25558 Real Property Maintenance/Transfer from Quality of Life Enhancements	12,154
25570 C–130 Operations	8,000

Operation and Maintenance, Army National Guard

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
26100 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD				
26120 BUDGET ACTIVITY 1: OPERATING FORCES				
26140 LAND FORCES				
26180 DIVISIONS	367,379	367,379	367,379	367,379
26200 CORPS COMBAT FORCES	773,892	773,892	773,892	773,892
26220 CORPS SUPPORT FORCES	183,763	183,763	183,763	183,763
26240 ECHELON ABOVE CORPS FORCES	139,382	139,382	139,382	139,382
26260 LAND FORCES OPERATION SUPPORT	94,098	94,098	94,098	94,098
26280 LAND FORCES READINESS				
26320 LAND FORCES SYSTEM READINESS	5,889	5,889	5,889	5,889
26340 DEPOT MAINTENANCE	187,327	197,327	187,327	189,327
26360 LAND FORCES READINESS SUPPORT				
26400 BASE OPERATIONS	468,029	474,293	468,029	473,029
26420 REAL PROPERTY MAINTENANCE	111,716	111,716	131,716	111,716
26440 MANAGEMENT AND OPERATIONAL HEADQUARTERS	400,988	400,988	400,988	400,988
26580 TOTAL, BUDGET ACTIVITY 1	2,732,463	2,748,727	2,752,463	2,739,463

(In thousands of dollars)

		Budget	House	Senate	Conference
26600	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
26620	ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
26660	STAFF MANAGEMENT	58,902	58,902	58,902	58,902
26680	INFORMATION MANAGEMENT	18,981	36,481	63,981	63,481
26720	PERSONNEL ADMINISTRATION	50,840	50,840	50,840	50,840
26740	RECRUITING AND ADVERTISING	42,363	48,863	42,363	49,363
26760	TOTAL, BUDGET ACTIVITY 4	171,086	195,086	216,086	222,586
26860	MILITARY (CIVILIAN) TECHNICIANS SHORTFALL	---	48,000	48,000	48,000
26863	ADDITIONAL FULL-TIME SUPPORT (TECHNICIAN)	---	---	26,000	20,000
26864	TRAINING DEPLOYMENTS	---	---	20,000	---
26865	OPTEMPO INCREASE	---	10,000	20,000	15,000
26866	SCHOOL HOUSE SUPPORT	---	10,000	10,000	10,000
26867	QOLE(D) RPM TRANSFER	---	60,629	60,629	60,629
26868	PROJECT ALERT	---	---	3,200	---
26880	REAL PROPERTY MAINTENANCE	---	10,000	---	20,000
26900	EXTENDED COLD WEATHER CLOTHING SYSTEM	---	14,000	---	7,000
26910	ANGEL GATE ACADEMY	---	4,200	---	4,200
26920	NGB PROJECT MANAGEMENT SYSTEM	---	3,000	---	1,500
26930	TUITION ASSISTANCE	---	---	---	6,000
26940	RECRUITING SUPPORT	---	---	---	7,000
26980	TOTAL, OPERATION AND MAINTENANCE, ARMY NAT. GUARD	2,903,549	3,103,642	3,156,378	3,161,378

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
26340 Land Forces Readiness/Depot Maintenance	2,000
26400 Base Operations/Training Area Environmental Management	5,000
Budget Activity 4: Administration and Servicewide Activities:	
26680 Information Management/Distance Learning	42,000
26680 National Guard Fiber Optics Study	2,450
26740 Recruiting and Advertising	7,000
Undistributed:	
26860 Military (civilian) Technicians Shortfall	48,000
26863 Additional Full-Time Support (Technicians)	20,000
26865 Optempo Increase	15,000
26866 School House Support	10,000
26867 Real Property Maintenance/Transfer from Quality of Life Enhancements	60,629
26880 Real Property Maintenance	20,000
26900 Extended Cold Weather Clothing System	7,000
26910 Angel Gate Academy	4,200
26920 NGB Project Management System	1,450
26930 Tuition Assistance	6,000
26940 Recruiting Support	7,000

Operation and Maintenance, Air National Guard

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
27500 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD				
27550 BUDGET ACTIVITY 1: OPERATING FORCES				
27600 AIR OPERATIONS				
27650 AIRCRAFT OPERATIONS	1,977,442	1,977,442	1,992,442	1,992,442
27660 AIRCRAFT SPARES	---	10,000	---	7,500
27700 MISSION SUPPORT OPERATIONS	357,487	357,487	357,487	357,487
27750 BASE SUPPORT	299,089	308,889	301,089	305,889
27800 MAINTENANCE OF REAL PROPERTY	38,130	48,130	48,130	48,130
27850 DEPOT MAINTENANCE	415,185	435,185	435,185	435,185
27860 F-16 FLIGHT TRAINING HOURS	---	15,000	---	---
27900 TOTAL, BUDGET ACTIVITY 1	3,087,333	3,152,133	3,134,333	3,146,633
27950 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
28000 SERVICEWIDE ACTIVITIES				
28050 ADMINISTRATION	2,656	2,656	2,656	2,656
28100 RECRUITING AND ADVERTISING	9,629	13,629	9,629	14,629
28110 TOTAL, BUDGET ACTIVITY 4	12,285	16,285	12,285	17,285
28150 QOLE(D) RPM TRANSFER	---	63,020	63,020	63,020
28160 C-130 OPERATIONS	---	5,000	5,000	5,000
28170 BASE OPERATIONS	---	---	10,000	4,000
28175 RECRUITING SUPPORT	---	2,000	5,000	2,000
28180 NATIONAL GUARD STATE PARTNERSHIP PROGRAM	---	1,000	---	1,000
28185 PROJECT ALERT	---	---	---	2,200
28550 TOTAL, O&M, AIR NATIONAL GUARD	3,099,618	3,239,438	3,229,638	3,241,138

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
27650 Aircraft Operations/Optempo	15,000
27660 Aircraft Spares	7,450
27750 Base Support	2,000
27750 Base Support/Buckley ANG Base	4,800
27800 Maintenance of Real Property	10,000
27850 Depot Maintenance	20,000
Budget Activity 4: Administration and Servicewide Activities:	
28100 Recruiting and Advertising	5,000
Undistributed:	
28150 Real Property Maintenance/Transfer from Quality of Life Enhancement	63,020
28160 C–130 Operations	5,000
28170 Base Operations	4,000
28175 Recruiting Support	2,000
28180 National Guard State Partnership Program	1,000
28185 Project Alert	2,200

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

The conferees agree to provide $1,722,600,000 for the Overseas Contingency Operations Transfer Fund. This amount provides for continuing operations in Bosnia and Southwest Asia and takes into account amounts which carry over due to the early cessation of the air campaign in Kosovo.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

The conference agreement provides $7,621,000 for the United States Court of Appeals for the Armed Forces.

ENVIRONMENTAL RESTORATION, ARMY

The conference agreement provides $378,170,000 for Environmental Restoration, Army.

ENVIRONMENTAL RESTORATION, NAVY

The conference agreement provides $284,000,000 for Environmental Restoration, Navy.

ENVIRONMENTAL RESTORATION, AIR FORCE

The conference agreement provides $376,800,000 for Environmental Restoration, Air Force.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

The conference agreement provides $25,370,000 for Environmental Restoration, Defense-Wide.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

The conference agreement provides $239,214,000 for Environmental Restoration, Formerly Used Defense Sites.

Environmental Contracting

The conferees are concerned about the effect of the Department's use of large indefinite contracts on small businesses. Therefore, the conferees included a general provision (Section 8130) which directs that not more than 35 percent of the funds obligated by the Department of Defense for environmental remediation shall be executed through IDIQ contracts with a total contract amount of $130,000,000. Furthermore, the conferees direct that the Secretary of Defense provide a report to the congressional defense committees no later than January 15, 2000 on the Department's use of IDIQ contracts during fiscal year 1999 and that this information be provided quarterly throughout fiscal year 2000. The January 15th report should also include an analysis comparing IDIQ contracts with other contract options in terms of cost, involvement of small businesses, and the inclusion of local companies.

Joliet Army Ammunition Plant

The Department of the Army manufactured munitions and explosives at the Joliet Ammunition Plant from the 1940s until approximately 1976. Portions of the property became heavily contaminated as a result of this use. The U.S. Environmental Protection Agency listed a portion of the arsenal on the National Priority List in 1987. In consultation with the U.S. Environmental Protection Agency and the Illinois Environmental Protection Agency, the Army developed a Record of Decision (ROD) outlining the remediation of the arsenal. The Army and the Joliet Arsenal Development Authority continue to work closely to better coordinate those issues concerning the Army's cleanup of the Joliet Arsenal. The conferees strongly encourage the Army to continue to fully support the cleanup and conversion projects at this site and ensure the cleanup is completed in a timely manner.

Iowa Army Ammunition Plant

The Secretary of the Army shall conduct a review of past nuclear weapons activities of the Iowa Army Ammunition Plant in order to determine possible environmental contamination, and possible exposure of former nuclear weapons workers and the local community to such activities. This review shall be conducted in coordination with the Department of Energy and provided to the congressional defense committees not later than June 15, 2000.

Massachusetts Military Reservation

The conferees are aware that the Massachusetts Military Reservation (MMR) located on Cape Cod, Massachusetts is undergoing extensive environmental characterization and remediation. The portion of MMR leased to the Army and licensed back to Massachusetts for training and support of the MA Army National Guard, known as Camp Edwards, is subject to two administrative orders issued in 1997 by the U.S. Environmental Protection Agency—Region 1 under the authority of the Safe Drinking Water Act. Those orders specifically require characterization activities at and near the training range/impact area at Camp Edwards to determine the impact of military-related activities on the underlying groundwater. In order to facilitate compliance with those orders, the conferees include a general provision (Section 8154) that provides for the use of funds appropriated to Operation and Maintenance, Army to pay for costs associated with such characterization and any ensuing remediation.

El Toro

The conferees are concerned about the status of the former Marine Corps Air Station El Toro and encourage the Department to take all necessary environmental remediation measures.

Newmark

The conferees continue to have serious concern about the Department's failure to respond at a senior level to groundwater contamination at the Newmark and Muscoy Superfund sites in California. The conferees understand that both the Environmental Protection Agency (EPA) and the City of San Bernardino believe that the contamination is a direct result of industrial waste from Camp Ono, a World War II depot and maintenance facility. The EPA has reported that there is ''no other reasonable source for the contamination,'' than the former Army base, and, more recently, that the Army is ''a likely source of the contamination.''

Report language in the conference reports accompanying the fiscal year 1997 and 1998 Defense Appropriations Bills highlighted the urgency of this program and requested adequate funding and prompt action by the Department to remediate this site. The conferees are disappointed with the Department's response. The Department has effectively ignored a September, 1998 court order to mediate the dispute. The conferees are particularly concerned by the Department's lack of a response to the conferees November, 1998 request for senior-level medication involving the Department and the Environmental Protection Agency. As a result, the conferees strongly believe that the Department should, within 60 days of enactment of this Act, initiate senior-level mediation in this matter with the EPA, the City of San Bernardino, and the State of California and report to the congressional defense committees fully explaining the Department's plan to reach a timely resolution to this matter.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

The conference agreement provides $55,800,000 for Overseas Humanitarian, Disaster, and Civic Aid.

FORMER SOVIET UNION THREAT REDUCTION

The conference agreement provides $460,450,000 for the Former Soviet Union Threat Reduction program.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
Strategic Nuclear Arms Elimination Ukraine	33,000	43,000	33,000	35,000
Strategic Offensive Arms Elimination Russia	157,300	177,300	157,300	157,300
Weapons Transportation Russia	15,200	15,200	15,200	15,200
Weapons Storage Security Russia	40,000	90,000	40,000	84,000
Warhead Dismantlement Processing Russia	9,300	9,300	9,300	9,300
Reactor Core Conversion	20,000	20,000	20,000	0
Fissile Material Storage Russia	64,450	60,900	64,450	64,450
Biological Weapons Proliferation Prevention Russia	2,000	14,000	2,000	14,000
Chemical Weapons Destruction Russia	130,400	24,600	130,400	0
Defense and Military Contacts	2,000	.....	2,000	2,000
Other Assessments	1,800	1,800	1,800	2,000
Submarine Dismantlement	.....	.....	[25,000]	25,000
Security enhancements at Chemical Weapons sites	.....	.....	.....	20,000
Cooperative program to eliminate weapons grade plutonium	.....	.....	.....	32,200

QUALITY OF LIFE ENHANCEMENTS, DEFENSE

The conference agreement provides $300,000,000 for Quality of Life Enhancements, Defense. The conference agreement, which distributes funding as indicated below, includes funding both to reduce the substantial backlog of real property maintenance, and to provide for certain requirements associated with local educational authorities.

[In thousands of dollars]

Quality of Life Enhancements, Defense: Program Increase:	
Army	$77,000,000
Navy	77,000,000
Marine Corps	58,450,000
Air Force	77,000,000
Defense-wide	10,450,000

TITLE III – PROCUREMENT

The conference agreement is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
SUMMARY				
ARMY:				
AIRCRAFT	1,229,888	1,590,488	1,440,788	1,451,688
MISSILES	1,358,104	1,272,798	1,267,698	1,322,305
WEAPONS, TRACKED COMBAT VEHICLES	1,416,765	1,556,665	1,526,265	1,586,490
AMMUNITION	1,140,816	1,228,770	1,145,566	1,204,120
OTHER	3,423,870	3,604,751	3,658,070	3,738,934
TOTAL, ARMY	8,569,443	9,253,472	9,038,387	9,303,537
NAVY:				
AIRCRAFT	8,228,655	9,168,405	8,558,684	8,662,655
WEAPONS	1,357,400	1,334,800	1,423,713	1,383,413
AMMUNITION	484,900	537,600	510,300	525,200
SHIPS	6,678,454	6,656,554	7,178,454	7,053,454
OTHER	4,100,091	4,252,191	4,184,891	4,320,238
MARINE CORPS	1,137,220	1,333,120	1,236,620	1,300,920
TOTAL, NAVY	21,986,720	23,282,670	23,092,662	23,245,880
AIR FORCE:				
AIRCRAFT	9,302,086	8,298,313	9,918,333	8,228,630
MISSILES	2,359,608	2,329,510	2,338,505	2,211,407
AMMUNITION	419,537	481,837	427,537	442,537
OTHER	7,085,177	6,958,227	7,198,627	7,146,157
TOTAL, AIR FORCE	19,166,408	18,067,887	19,883,002	18,028,731
DEFENSE-WIDE	2,128,967	2,286,368	2,327,965	2,249,566
NATIONAL GUARD AND RESERVE EQUIPMENT	---	130,000	250,000	150,000
DEFENSE PRODUCTION ACT PURCHASES	---	5,000	---	3,000
TOTAL PROCUREMENT	51,851,538	53,025,397	54,592,016	52,980,714

REPROGRAMMING POLICY

The conferees direct the Secretary of Defense not to implement any reprogramming actions (including notification reprogrammings) submitted to the congressional defense committees unless the Committees on Appropriations communicate approval of the reprogrammings. This direction applies to all defense accounts.

INTERIM CONTRACTOR SUPPORT

The conference agreement retains funding in Air Force procurement accounts for Interim Contractor Support (ICS) for Fiscal Year 2000. For the C–17, E–8, and B–2 programs, the conferees provided ICS funding in separate procurement line-items to facilitate better oversight in Congress and in the Department of Defense of the large levels of ICS in these programs. These line-items are subject to the same reprogramming procedures as other line-items in these accounts. The conferees direct the Secretary of Defense to ensure procurement programs expeditiously transition these efforts to operation and maintenance accounts. In particular, the conferees direct the Secretary of Defense to transition C–17 ICS (known as Flexible Sustainment) to the operations and maintenance account in the fiscal year 2001 budget submission. The conferees further direct that ICS be clearly identified in procurement budget documentation.

AIRCRAFT PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
AIRCRAFT PROCUREMENT, ARMY					
UTILITY F/W (MR) AIRCRAFT	---	---	27,000	1	5,400
UH-60 BLACKHAWK (MYP)	86,140	207,140	207,140	19	202,340
AH-64 MODS	22,565	116,565	67,565	--	33,065
CH-47 CARGO HELICOPTER MODS (MYP)	70,738	126,838	73,738	--	111,738
UTILITY/CARGO AIRPLANE MODS	6,308	9,308	9,308	--	8,808
LONGBOW	729,536	774,536	717,836	--	752,836
UH-60 MODS	12,087	13,587	12,087	--	13,087
KIOWA WARRIOR	39,046	39,046	45,646	--	42,346
AIRBORNE AVIONICS	43,690	47,090	43,690	--	45,390
ASE MODS (ATIRCM)	---	---	8,100	--	5,000
AIRCRAFT SURVIVABILITY EQUIPMENT	88	24,188	12,588	--	15,588
AVIONICS SUPPORT EQUIPMENT	---	---	5,000	--	2,500
COMMON GROUND EQUIPMENT	35,915	37,915	19,315	--	20,315
AIRCREW INTEGRATED SYSTEMS	4,394	14,894	12,394	--	13,894

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
UH–60 BLACKHAWK (MYP)	86,140	207,140	207,140	202,340
UH–60L Blackhawks (+6)		54,000	54,000	54,000
(Note: UH–60L aircraft are only for the National Guard)				
UH–60Q (+3)		67,000	67,000	40,200
(Note: UH–60Q aircraft are only for the National Guard)				
UH–60L Firehawk (+2)				22,000
(Note: UH–60L Firehawk aircraft only for the National Guard)				
AH–64 MODS	22,565	116,565	67,565	33,065
LOLA boost pump		3,000	0	1,450
Vibration management enhancement program		7,000	0	4,450
(Note: Only for the National Guard)				
Oil debris detection system		3,000	0	1,450
(Note: Only for the National Guard)				
Apache second generation FLIR		75,000	0	0
(Note: funds transferred to RDT&E)				
HF radio integration		6,000	0	3,000
Longbow Processor Obsolesence		0	45,000	0
CH–47 CARGO HELICOPTER MODS	70,738	126,838	73,738	111,738
Accelerate reengining effort		56,100		40,000
NRE costs for troop safety enhancements			3,000	1,000
LONGBOW	729,536	774,536	717,836	752,836
Processor obsolescence		45,000	0	35,000
Deferral of air-to-air program efforts		0	−6,900	−6,900
Reduction in gfe/other funds based on late award		0	−4,800	−4,800
KIOWA WARRIOR	39,046	39,046	45,646	42,346
Crew station mission equipment trainer program		0	2,600	1,300
Switchable eyesafe laser rangefinder/designator		0	4,000	2,000
AIRCRAFT SURVIVABILITY EQUIPMENT	88	24,188	12,588	15,588
ASET IV		18,100	12,450	12,450
AN/AVR–2A laser detection sets		6,000	0	3,000
COMMON GROUND EQUIPMENT	39,915	37,915	19,315	20,315
Helicopter external lift enhancer		2,000	0	1,000
Delays in aircraft cleaning and deicing system			−2,450	−2,450
Delays in DoD Advanced Automation Systems			−10,100	−10,100
Delays in Airfield Status Automation System			−4,000	−4,000
AIRCREW INTEGRATED SYSTEMS	4,394	14,894	12,394	13,894
UH–60 A/L cockpit air bag system		10,450	0	5,000
Digital source collector		0	3,000	1,450
HGU–56/P aircrew integrated helmet system for the Army National Guard		0	5,000	3,000

MISSILE PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
MISSILE PROCUREMENT, ARMY					
AVENGER SYSTEM SUMMARY	33,750	35,050	33,750	20	35,050
JAVELIN (AAWS-M) SYSTEM SUMMARY (AP-CY)	98,406	---	---	--	40,000
MLRS ROCKET	3,338	3,338	3,838	--	3,838
MLRS LAUNCHER SYSTEMS	130,634	138,134	130,634	47	138,134
MLRS LAUNCHER SYSTEMS (AP-CY)	15,993	15,993	15,993	--	---
PATRIOT MODS	30,840	30,840	30,840	--	50,840
STINGER MODS	17,392	17,392	24,892	--	22,392
AVENGER MODS	---	4,300	---	--	4,300

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
JAVELIN ADVANCE PROCUREMENT	98,406	0	0	40,000
Economic order quantity		−98,406	−98,406	40,000
MLRS LAUNCHER SYSTEMS	130,634	138,134	130,634	138,134
Vehiclular intercommunications system (AN/VIC–3) cordless		2,450	0	2,450
Loader launch module and fire control system		5,000	0	5,000
PATRIOT MODS	30,840	30,840	30,840	50,840
Patriot anti-cruise missile system		0	(35,000)	0
Patriot service life extension program		0	0	20,000

PATRIOT UPGRADE

The conferees have provided $50,840,000 for the Patriot missile upgrade program, an increase of $20,000,000 only for a service life extension program. The conferees direct that none of the additional funds may be obligated until the Secretary of Defense provides an assessment of various Patriot missile modification programs, including, but not limited to, the Patriot Anti-Cruise Missile and the GEM upgrade programs. The assessment is to include the capability of each system against all potential target sets, to include cruise missiles and the development and acquisition costs associated with each modification program. Thirty days after the Secretary's findings are submitted to the defense committees, the funds may be used to upgrade/extend the life of Patriot missiles in the Army inventory.

JAVELIN

The conferees agree to provide the authority for the Army to enter into a Javelin multi-year contract. However, the conferees direct that the Army may not enter into such a contract until thirty days after the Secretary of Defense certifies the quantities purchased are correct and that any outstanding technical and manufacturing issues have been resolved and tested.

STARSTREAK

The conferees urge the Department of the Army to reprogram the funds necessary to complete a live fir, side-by-side operational test and evaluation of the air-to-air Starstreak and air-to-air Stinger missiles fired from the AH–64D Apache helicopter.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
PROCUREMENT OF W&TCV, ARMY					
BRADLEY BASE SUSTAINMENT	308,762	392,762	315,762	--	383,762
BRADLEY BASE SUSTAINMENT (AP-CY)	27,675	27,675	27,675	--	---
COMMAND & CONTROL VEHICLE	54,545	54,545	60,545	12	60,545
CARRIER, MOD	53,463	68,463	53,463	--	63,463
BFVS SERIES (MOD)	7,087	7,087	40,087	--	32,087
HOWITZER, MED SP FT 155MM M109A6 (MOD)	6,259	7,259	27,259	--	27,259
HEAVY ASSAULT BRIDGE (HAB) SYS (MOD)	67,312	67,312	82,812	--	82,812
ARMOR MACHINE GUN, 7.62MM M240 SERIES	12,204	40,004	12,204	1,304	40,004
MACHINE GUN, 5.56MM (SAW)	---	10,100	5,000	--	10,100
GRENADE LAUNCHER, AUTO, 40MM, MK19-3	18,290	18,290	23,290	1,085	23,290
ITEMS LESS THAN $5.0M (WOCV-WTCV)	1,206	1,206	16,206	--	1,206

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
BRADLEY BASE SUSTAINMENT	308,762	392,762	315,762	383,762
A0 to ods conversion (Note: Only for the National Guard)		80,000	0	80,000
Vehicular intercommunications system (AN/VIC–3)		4,000	4,000	4,000
DSESTS		0	3,000	3,000
Maintain fiscal year 99 quantities		0	0	−12,000
BRADLEY BASE SUSTAINMENT	27,675	27,675	27,675	0
Cancel multi-year procurement		0	0	−27,675
HOWITZER, 155MM M109A6 (MOD)	6,259	7,259	27,259	27,259
Vehicular intercommunications system (AN/VIC–3)		1,000	1,000	1,000
Paladin (National Guard)		0	20,000	20,000
HEAVY ASSAULT BRIDGE MODIFICATIONS	67,312	67,312	82,812	82,812
DSESTS		0	1,450	1,450
Advance Procurement		0	14,000	14,000
ITEMS LESS THAN $5.0M (WOCV–WTCV)	1,206	1,206	16,206	1,206
PI combat vehicle crewman's headsets (Note: Transfer to OPA)		0	15,000	0

ABRAMS TANK UPGRADE MULTI-YEAR PROCUREMENT

With some reluctance, the conferees have approved the Army's request to renew multi-year procurement authority to continue the M1A2 Abrams tank upgrade program subject to the condition described below. The conferees seriously question the Army's proposal to enter a new follow-on multi-year agreement that would increase the average unit cost of a tank upgrade (M1 to M1A2 SEP) from $5.6 million per tank in FY 1999 to $6.7 million per tank starting in FY 2001. The conferees note that, in general, the trend throughout the Department has been that follow-on multi-year agreements show significant unit price decreases as production efficiencies improve and mature. While much of the cost increase for this program can be attributed to lower planned production rates, the conferees remain puzzled why greater efforts have not been made to lower unit costs, especially when the cost of this upgrade now threatens to equal the cost of procuring a new tank.

The conferees agree that the Army shall not enter into a new multi-year procurement agreement for the M1A2 SEP program until it has conducted a detailed and thorough reexamination of the costs of this program and has reevaluated the overall program structure in light of the Army's ongoing reevaluation of its overall modernization strategy and plan. The conference agreement therefore restricts approval of the new MYP agreement until 30 days after the Army has submitted a report to Congress detailing the results of its M1A2 SEP cost and program structure review. The conferees expect this report to:

Describe renewed efforts by the Army and by industry to reduce production cost in all areas;

Recommend ways to improve cost accounting practices to shift overhead costs not directly attributable to production of this tank upgrade to the proper accounts;

Reexamine options (in concert with any new armored force revisions made as part of the larger strategic review) to use newer tank chassis' for the upgrade that might significantly lower unit cost;

Reexamine the planned rates of production for this program;

Reassess the cost and benefits of installing an auxiliary power unit as part of this upgrade;

Review ways to further reduce the cost of the second generation FLIR system; and provide a detailed description of the terms and conditions of its proposed multi-year procurement agreement.

The conferees believe the Army should revisit its decision to commit to inefficient rates of 80 tanks per year over three years and only 43 tanks in year four and 24 tanks in year five.

With respect to revaluation of the APU, the conferees are disturbed that more consideration and priority has not been given to upgrades that would reduce the very high cost of operation of this tank. The one proposed modification to reduce cost was the on-board auxiliary power unit, which was subsequently dropped from the package for ''affordability'' reasons. Given the well known problems with the Abrams power plant, the conferees would think that any modification that would reduce the significant O&S costs for the equipment would receive high priority. The conferees strongly urge the Army to revise its plan to include this equipment.

The conferees also direct the Secretary of the Army to submit a report, no later than June 15, 2000, that outlines the additional costs required to completely equip the ''first to fight corps'' with top line equipment and the Army's reasons for adopting a plan that deviates from this concept. The conferees do not expect the time required to submit this additional report to impact on the award of the multi-year contract.

PROCUREMENT OF AMMUNITION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
PROCUREMENT OF AMMUNITION, ARMY					
CTG, 25MM, ALL TYPES	46,618	48,618	46,618	--	47,618
60MM MORTAR, ALL TYPES	15,616	15,616	24,616	--	20,616
CTG MORTAR 60MM SMOKE WP M722	---	4,000	---	--	3,000
CTG MORTAR 81MM PRAC 1/10 RANGE M880	1,906	3,306	1,906	30	2,906
CTG MORTAR 120MM ILLUM XM930 W/MTSQ FZ	---	10,000	---	--	6,000
CTG 120MM WP SMOKE M929A1	51,819	59,619	56,819	56	59,619
CTG 120MM APFSDS-T M829A2/M829E3	---	32,000	---	--	32,000
CTG 120MM HEAT-MP-T M830A1	---	22,000	---	--	15,000
CTG ARTY 105MM DPICM XM915	---	5,000	10,000	--	5,000
PROJ ARTY 155MM SADARM M898	54,546	---	30,546	227	15,000
REMOTE AREA DENIAL ARTILLERY MUNITION (RADAM)	48,250	48,250	---	100	8,000
MINE AT M87 (VOLCANO)	---	15,000	18,000	--	18,000
WIDE AREA MUNITIONS	10,387	20,387	20,387	79	15,387
BUNKER DEFEATING MUNITION (BDM)	---	10,000	---	--	10,000
GRENADES, ALL TYPES	11,431	16,431	11,431	--	13,431
PROVISION OF INDUSTRIAL FACILITIES	46,139	53,439	46,139	--	53,439
ARMS INITIATIVE	4,775	4,775	18,775	--	18,775

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
PROJ ARTY 155MM SADARM M898	54,546	0	30,546	15,000
Terminate basic SADARM production		−54,546	0	0
SADARM Production		0	−24,000	−39,546
(Note: Funds may not be obligated unitl OPTEC has certified in writing that 80% reliability has been demonstrated)				

OTHER PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
OTHER PROCUREMENT, ARMY					
TACTICAL TRAILERS/DOLLY SETS	15,277	20,277	21,277	632	25,277
FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	190,399	196,399	190,399	450	194,399
HVY EXPANDED MOBILITY TACTICAL TRUCK EXT SERV	4,901	11,701	4,901	23	11,701
MODIFICATION OF IN SVC EQUIP	29,769	33,269	29,769	--	31,769
SHF TERM	31,950	---	31,950	16	14,000
SAT TERM, EMUT (SPACE)	1,547	1,547	1,547	--	6,547
SMART-T (SPACE)	61,761	31,761	51,761	--	31,761
SCAMP (SPACE)	5,033	---	5,033	--	5,033
ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	38,763	58,763	53,763	--	53,763
ACUS MOD PROGRAM (WIN T/T)	109,056	115,956	149,056	--	155,956
PRODUCT IMPROVED COMBAT VEHICLE CREWMAN HEADSET	---	15,000	---	--	15,000
MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	20,600	21,600	20,600	--	21,600
INFORMATION SYSTEM SECURITY PROGRAM-ISSP	28,750	39,450	41,250	--	57,450
WW TECH CON IMP PROG (WWTCIP)	2,891	2,891	7,991	--	2,891
INFORMATION SYSTEMS	56,915	56,915	101,915	--	97,915
LOCAL AREA NETWORK (LAN)	100,018	116,570	100,018	--	116,570
TACTICAL UNMANNED AERIAL VEHICLE (TUAV)	45,863	---	45,863	--	---
JOINT STARS (ARMY) (TIARA)	82,176	107,176	82,176	12	96,176
CI HUMINT AUTOMATED TOOL SET (CHATS) (TIARA)	3,137	4,637	3,137	--	4,137
SHORTSTOP	---	28,000	---	--	20,000
NIGHT VISION DEVICES	20,977	67,777	70,977	9,448	60,977
LTWT VIDEO RECON SYSTEM (LWVRS)	3,436	5,936	4,936	145	4,936
COMBAT IDENTIFICATION / AIMING LIGHT	9,486	---	9,486	--	---
MOD OF IN-SVC EQUIP (TAC SURV)	6,533	29,533	14,633	--	25,633

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
DIGITIZATION APPLIQUE	66,423	56,423	66,423	--	56,423
MORTAR FIRE CONTROL SYSTEM	3,740	---	3,740	--	---
FAADC2I MODIFICATIONS	5,880	5,880	8,380	--	7,880
STRIKER-COMMAND AND CONTROL SYSTEM	12,307	12,307	22,307	30	22,307
MANEUVER CONTROL SYSTEM (MCS)	52,049	10,000	30,349	--	25,000
STAMIS TACTICAL COMPUTERS (STACOMP)	33,711	15,611	33,711	--	33,711
AUTOMATED DATA PROCESSING EQUIP	138,607	176,607	138,607	--	154,607
PRODUCTION BASE SUPPORT (C-E)	378	2,878	378	--	2,878
HEAVY DRY SUPT BRIDGE SYSTEM	13,980	17,980	13,980	3	15,480
RIBBON BRIDGE	12,077	12,077	25,577	65	25,577
EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	4,989	10,989	4,989	--	8,989
LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	2,128	3,728	5,328	197	3,728
DISTRIBUTION SYS, PET & WATER	10,716	13,716	10,716	--	13,716
WATER PURIFICATION SYS	10,396	10,396	13,396	--	10,396
COMBAT SUPPORT MEDICAL	25,250	40,250	29,250	--	36,250
ROLLER, VIBRATORY, SELF-PROPELLED (CCE)	---	10,300	---	--	10,300
COMPACTOR, HIGH SPEED	9,798	12,398	9,798	67	12,398
CRANE, WHEEL MTD, 25T, 3/4 CU YD, RT	12,089	20,089	12,089	47	18,089
ITEMS LESS THAN $2.0M (CONST EQUIP)	4,286	6,286	4,286	--	6,286
PUSHER TUG, SMALL	---	9,000	---	--	9,000
GENERATORS AND ASSOCIATED EQUIP	78,639	81,639	78,639	--	79,639
COMBAT TRAINING CENTERS SUPPORT	2,450	9,050	12,450	--	17,550
TRAINING DEVICES, NONSYSTEM	67,374	75,124	70,874	--	72,874
SIMNET/CLOSE COMBAT TACTICAL TRAINER	75,367	40,367	75,367	--	65,367
INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	41,602	56,602	41,602	--	51,602
MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	24,852	39,352	32,852	--	41,852
LIGHTWEIGHT CAMOUFLAGE SYSTEM	---	20,000	---	--	13,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
TACTICAL TRAILERS/DOLLY SETS	15,277	20,277	21,277	25,277
Trailer modernization/life cycle sustainment SLOT		5,000	0	5,000
SLOT		0	6,000	5,000
MODIFICATION OF INSERVICE EQUIPMENT	29,769	33,269	29,769	31,769
HET air-conditioning		1,450	0	1,000
Fuel injection test stand upgrade (A8020)		2,000	0	1,000
ACUS MOD PROGRAM (WIN T/T)	109,056	115,956	149,056	155,956
High speed multiplexers (HSMUX) (Note: Only for the National Guard)		900	0	900
Facsimile machines (TS–21 Blackjack)		6,000	0	6,000
AN/TTC–56 Single Shelter Switches		0	40,000	40,000
Product Improvement Combat Vehicle Crewman	0	15,000	0	15,000
(Note: Senate provided funds in WTCV, A)		15,000	0	15,000
INFORMATION SYSTEM SECURITY PROGRAM-ISSP	28,750	39,450	41,250	57,450
Secure terminal equipment		2,000	6,000	3,450
AIRTERM AND MINTERM security devices		8,700	0	8,700
Assessment of biometrics systems (Note: Only MX5T biometrics computer prototype, pilot, and study for combing and consolidating biometrics and other information assurance technologies).		0	15,000	15,000
Portable interruptible universal power supply system		0	1,450	1,450
WW TECH CON IMP PROG (WWTCIP) (Note: Funds are provided under the heading Combat Training Services Support)	2,891	2,891	7,991	2,891
Camp Shelby		0	5,100	0
NIGHT VISION DEVICES	20,977	67,777	70,977	60,977
25mm gen III tubes		25,000	0	18,000
Night vision goggles (AN/PVS–7D)		10,000	0	8,000
AN/PEQ–2A TPIALS devices		5,200	0	3,450
AN/PAQ–4C infrared aiming lights		6,600	0	3,450
Senate add for ''suggested'' items		0	50,000	0
AN/PAS 13 (Note: Senate included item in report language)		0	0	3,450
AN/VAS–5 drivers vision enhancer (Note: Senate include item in report language)		0	0	3,450
MOD OF IN-SVC EQUIP (TAC SURV)	6,533	29,533	14,633	25,633
Firefinder—additional systems		23,000	0	11,000
Firefinder modifications		0	8,100	8,100
STRIKER-COMMAND AND CONTROL SYSTEM	12,307	12,307	22,307	22,307
Striker hmmwv—combat laser teams		0	5,000	5,000
Striker test program sets		0	5,000	5,000
MANEUVER CONTROL SYSTEM (MCS)	52,049	10,000	30,349	25,000
Program delay		−27,049	0	−5,349
Transfer to PE 0203759A		−15,000	−21,700	−21,700
AUTOMATED DATA PROCESSING EQUIP	138,607	176,607	138,607	154,607
Ammunition AIT		15,000	0	10,000
National Guard Distance Learning		15,000	0	0
National Guard Distance Learning Courseware		8,000	0	6,000
PRODUCTION BASE SUPPORT (C–E)	378	2,878	378	2,878
Tobyhanna (Note: Only for production base support)		2,450	0	2,450
HEAVY DRY SUPT BRIDGE SYSTEM	13,980	17,980	13,980	15,480
Vehicular intercommunications system (AN/VIC–3) (Note: Senate added funds in WTCV)		4,000	0	1,450
DISTRIBUTION SYS, PET & WATER	10,716	13,716	10,716	13,716
Tactical water purification systems (Note: Senate provided funds in Water Purification Sys)		3,000	0	3,000
WATER PURIFICATION SYS	10,396	10,396	13,396	10,396
3,000 gallon water purification system (Note: Funds moved to Distribution Systems, Pet and Water)		0	3,000	0
COMBAT SUPPORT MEDICAL	25,250	40,250	29,250	36,250
Advance surgical suite for trauma		15,000	0	8,000
LSTAT		0	4,000	3,000
GENERATORS AND ASSOCIATED EQUIP	78,639	81,639	78,639	79,639
Small generators		600	0	0
5–60k generators		2,450	0	1,000
COMBAT TRAINING CENTERS SUPPORT	2,450	9,050	12,450	17,550
JTRC MOUT instrumentation		6,600	3,000	3,000
DFIRST pilot program		0	7,000	7,000
Camp Shelby (Note: Senate provided funds under WWTCIP)		0	0	5,100
TRAINING DEVICES, NONSYSTEM	67,374	75,124	70,874	72,874
GUARDFIST (Note: Only for the National Guard)		3,750	0	2,000
BEAMHIT		4,000	0	1,000
Improved moving target simulator		0	3,450	2,450
MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	24,852	39,352	32,852	41,852
D–7 Dozer service life extension program (Note: Only for the National Guard)		10,000	0	10,000
Laser leveling equipment		4,450	0	3,000
Commercial Equipment SLEP		0	8,000	4,000

FAMILY OF MEDIUM TACTICAL VEHICLES

The conferees support the Army's competition strategy and their desire to engage in practices which seek to lower acquisition costs and improve the quality of the Family of Medium Tactical Vehicle truck. Additionally, the conferees understand that the Army must use funds appropriated for the FMTV program to establish and conduct any competition that will determine the future producers of FMTV trucks. The conferees direct that there be no delay in the competition for follow-on FMTV contract awards.

The conferees direct the Secretary of Army to develop an acquisition strategy using competitive procedures for the next FMTV production contract based on, but not limited to, a validated FMTV technical data package which will serve as the baseline for the FMTV configuration. Furthermore, the conferees direct the Army to provide a report on the status of the acquisition strategy no later than March 15, 2000.

GLOBAL COMBAT SUPPORT SYSTEM—ARMY

The conferees are concerned about the Department's tendency to begin fielding an information technology system prior to the system actually passing Milestone III. Therefore the conferees direct the Army not to spend $11,900,000 of the funds provided in Other Procurement, Army for the Global Combat Support System—Army until after the system has received Milestone III approval.

PACIFIC MOBILE EMERGENCY RADIO SYSTEM (PACMERS)

The conferees are concerned that the existing emergency radio capability of the Pacific Command may have become an inadequate stovepipe system, consisting mainly of analog technology non-interoperable with the new and emergency technologies used by other federal, State and local governments. The maintenance and operation of existing equipment is no longer feasible nor cost effective.

The proposed follow-on system, the Pacific Mobile Emergency Radio Systems (PACMERS), will allow total interoperability with all military services, federal law enforcement, and State and local agencies. PACMERS will provide the capabilities to insure emergency communications for first-responders to weapons of mass destruction and counter-terrorism activities, consequence management, as well as other situations derived by civil disobedience or natural disaster. The capabilities of PACMERS will support Presidential Directive 62 and 63.

True cost savings will be realized by utilization of a total turn-key, leased system, which will negate government risk associated with the maintenance, technological obsolescence, and capital investment of a procured system. The anticipated cost-savings and economies of scale associated with the anticipated enhancements of PACMERS are of great interest to the conferees. In an expression of support for the PACMERS system concept, the Department of Defense is encouraged to accelerate installation, leading to a full operational capability as soon as is feasible.

AIRCRAFT PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
AIRCRAFT PROCUREMENT, NAVY					
AV-8B (V/STOL)HARRIER (AP-CY)	30,832	30,832	30,832	--	40,832
F/A-18E/F (FIGHTER) HORNET	2,691,989	2,691,989	2,681,989	36	2,691,989
F/A-18E/F (FIGHTER) HORNET (AP-CY)	162,240	162,240	176,240	--	162,240
V-22 (MEDIUM LIFT)	796,392	856,392	919,392	12	856,392
UC-35	---	---	---	2	12,000
C-40A	49,029	49,029	98,058	1	49,029
JPATS	44,826	55,826	44,826	12	55,826
KC-130J	12,257	576,257	77,157	1	77,157
EA-6 SERIES	161,047	272,047	201,047	--	240,047
F-18 SERIES	308,789	281,789	300,589	--	311,789
AH-1W SERIES	13,726	16,726	20,726	--	18,726
H-53 SERIES	45,240	45,240	26,840	--	26,840
SH-60 SERIES	56,824	60,324	60,324	--	57,824
H-1 SERIES	6,339	16,339	18,839	--	15,339
EP-3 SERIES	27,433	44,433	27,433	--	39,433
P-3 SERIES	276,202	361,202	300,402	--	342,202
S-3 SERIES	94,119	94,119	84,119	--	84,119
E-2 SERIES	28,201	55,101	28,201	--	76,101
C-2A	19,524	19,524	24,524	--	25,524
E-6 SERIES	86,950	85,250	86,950	--	85,250
COMMON ECM EQUIPMENT	50,584	58,584	50,584	--	54,584
SPARES AND REPAIR PARTS	871,820	871,820	821,820	--	871,820
COMMON GROUND EQUIPMENT	413,732	379,782	416,732	--	380,932
WAR CONSUMABLES	11,683	11,683	14,183	--	14,783
OTHER PRODUCTION CHARGES	39,991	64,991	39,991	--	64,991

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
EA–6 SERIES	161,047	272,047	201,047	240,047
Modified Band 9/10 (7/8) jammers		0	25,000	18,000
Night vision devices		31,000	15,000	31,000
Simulators		60,000	0	30,000
Refurbish test aircraft to operational configuration		20,000	0	0
F–18 SERIES	308,789	281,789	300,589	311,789
F–18A AN/APG–73 RUG avionics upgrade for ECP 583		0	23,600	23,600
F–18C AN/APG–73 RUG avionics upgrade		0	15,200	15,200
Allowance for correction of deficiencies		0	−20,000	−10,000
ATFLIR premature award		−27,000	−27,000	−27,000
Joint helmet mounted cueing system		0	0	2,000
SH–60 SERIES	56,824	60,324	60,324	57,824
AQF–13F dipping sonar		3,450	7,450	5,000
Integrated mechanical diagnostic system delay		0	−4,000	−4,000
H–1 SERIES	6,339	16,339	18,839	15,339
AN/AQQ–22 thermal imaging system		10,000	10,000	8,000
Improved engine torque pressure system		0	2,450	1,000
EP–3 SERIES	27,433	44,433	27,433	39,433
Specific emitter identification/LPI		12,000	0	12,000
Assessment study for additional sensors		5,000	0	0
P–3 SERIES	276,202	361,202	300,402	342,202
Additional AIP modification kits		60,000	24,200	48,000
Lightweight environmentally sealed parachutes		5,000	0	3,000
Advanced digital recorders		5,000	0	3,000
Specific emitter identification		15,000	0	12,000
E–2 SERIES	28,201	55,101	28,201	76,101
Hawkeye 2000 upgrades		0	0	24,000
Lightweight environmentally sealed parachutes		5,000	0	2,000
Cooperative engagement capability		21,900	0	21,900
COMMON ECM EQUIPMENT	50,584	50,584	50,584	54,584
AN/ALR–67A(V)2 radar warning receivers		6,000	0	3,000
AN/APR–39 radar warning receivers		2,000	0	1,000
COMMON GROUND EQUIPMENT	413,732	379,782	416,732	380,932
Consolidated Avionics Support System		−2,900	0	0
High pressure pure air generators		3,750	0	0
Jet start units		−35,800	0	−35,800
Direct support squadron readiness training		1,000	3,000	3,000
WAR CONSUMABLES	11,683	11,683	14,183	14,783
High pressure pure air generators		0	2,450	3,100

AV–8B

The conferees agree to provide an additional $10,000,000 for AV–8B advance procurement and encourage the Department of the Navy to budget for at least 16 additional remanufactured AV–8B aircraft starting in fiscal year 2001, at the end of the current multiyear contract. Additional aircraft are needed by the Marine Corps to maintain its inventory level until the Joint Strike Fighter is field.

ADVANCED TACTICAL AIR RECONNAISSANCE SYSTEM (ATARS)

The conferees agree that no reduction should be applied to the ATARS program. Additionally, the conferees agree that 50 percent of the fiscal year 2000 funding shall not be obligated until the Operational Evaluation is complete.

WEAPONS PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
WEAPONS PROCUREMENT, NAVY					
JSOW	154,913	135,913	154,913	518	115,613
STANDARD MISSILE	198,867	155,267	198,867	91	198,867
HELLFIRE	---	---	25,000	--	20,000
PENGUIN	---	10,000	---	--	10,000
AERIAL TARGETS	21,177	51,177	51,177	--	46,177
DRONES AND DECOYS	---	---	20,000	--	10,000
SIDEWINDER MODS	29,387	29,387	---	--	---
WEAPONS INDUSTRIAL FACILITIES	20,199	20,199	27,899	--	27,899
MK-48 TORPEDO ADCAP MODS	52,755	52,755	37,755	--	45,255
SMALL ARMS AND WEAPONS	880	880	880	--	2,380
MK-45 GUN MOUNT MODS	---	---	28,000	--	28,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
JSOW	154,913	135,913	154,913	115,613
Delay BLU–108 variant		−39,300	0	−39,300
Baseline variant		20,300	0	0
SMALL ARMS AND WEAPONS	880	880	880	2,380
MK–43 machine guns		0	(3,000)	1,450

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
PROCUREMENT OF AMMO, NAVY & MARINE CORPS					
AIR EXPENDABLE COUNTERMEASURES	34,259	39,259	34,259	--	37,759
5.56 MM, ALL TYPES	12,958	21,958	19,958	--	21,958
7.62 MM, ALL TYPES	7	5,007	4,007	--	5,007
.50 CALIBER	16,364	18,364	16,364	--	17,364
40 MM, ALL TYPES	11,247	12,547	12,647	--	12,547
CTG 25MM, ALL TYPES	3,194	11,394	3,194	--	6,194
GRENADES, ALL TYPES	2,270	4,270	2,270	--	3,270
DEMOLITION MUNITIONS, ALL TYPES	14,733	21,933	14,733	--	18,233

SHIPBUILDING AND CONVERSION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
SHIPBUILDING & CONVERSION, NAVY					
CVN REFUELING OVERHAULS (AP-CY)	345,565	323,665	345,565	--	345,565
LHD-1 AMPHIBIOUS ASSAULT SHIP (MYP)	---	---	500,000	--	375,000

OTHER PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
OTHER PROCUREMENT, NAVY					
OTHER NAVIGATION EQUIPMENT	67,516	87,516	86,516	--	100,516
POLLUTION CONTROL EQUIPMENT	113,506	116,506	113,506	--	115,006
STRATEGIC PLATFORM SUPPORT EQUIP	6,070	21,070	6,070	--	21,070
MINESWEEPING EQUIPMENT	16,302	20,802	16,302	--	18,302
ITEMS LESS THAN $5.0M	126,133	154,533	132,633	--	132,133
RADAR SUPPORT	---	22,300	16,000	--	20,000
SSN ACOUSTICS	227,042	227,042	229,642	--	227,042
SURFACE SONAR WINDOWS AND DOME	---	5,000	---	--	3,000
UNDERSEA WARFARE SUPPORT EQUIPMENT	2,605	11,205	2,605	--	8,605
SONAR SUPPORT EQUIPMENT	---	3,000	---	--	3,000
C-3 COUNTERMEASURES	---	10,000	---	--	---
SHIPBOARD IW EXPLOIT	48,031	21,531	48,031	--	48,031
COMMON HIGH BANDWIDTH DATA LINK	40,083	31,283	40,083	--	40,083
NAVY TACTICAL DATA SYSTEM	---	25,000	---	--	22,500
COOPERATIVE ENGAGEMENT CAPABILITY	60,494	60,494	38,594	--	60,494
OTHER TRAINING EQUIPMENT	44,229	54,229	44,229	--	51,429
TADIX-B	6,248	23,548	6,248	--	20,548
NAVAL SPACE SURVEILLANCE SYSTEM	6,634	7,834	6,634	--	7,834
GCCS-M EQUIPMENT TACTICAL/MOBILE	7,077	17,077	7,077	--	14,077
RADIAC	7,778	4,278	7,778	--	4,278
ITEMS LESS THAN $5.0M	5,206	10,206	5,206	--	9,206
SUBMARINE COMMUNICATION EQUIPMENT	85,368	53,268	85,368	--	83,668
SATCOM SHIP TERMINALS (SPACE)	237,722	247,722	237,722	--	247,722
JEDMICS	---	17,000	9,000	--	17,000

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
NAVAL SHORE COMMUNICATIONS	114,339	92,439	114,339	--	114,339
INFO SYSTEMS SECURITY PROGRAM (ISSP)	64,139	64,139	67,639	--	67,139
PASSIVE SONOBUOYS (NON-BEAM FORMING)	15,933	23,933	18,933	--	19,933
AN/SSQ-57 (SPECIAL PURPOSE)	---	---	---	--	1,000
AN/SSQ-62 (DICASS)	17,111	17,711	20,111	--	16,711
AN/SSQ-101 (ADAR)	12,773	18,773	15,773	--	16,773
WEAPONS RANGE SUPPORT EQUIPMENT	12,166	12,166	23,166	--	23,166
AVIATION LIFE SUPPORT	17,053	23,053	35,153	--	37,053
AIRBORNE MINE COUNTERMEASURES	40,455	40,455	40,455	--	31,502
AEGIS SUPPORT EQUIPMENT	86,668	93,668	86,668	--	91,668
ANTI-SHIP MISSILE DECOY SYSTEM	20,446	20,446	32,446	--	32,446
COMMAND SUPPORT EQUIPMENT	14,471	16,471	14,471	--	16,471

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
OTHER NAVIGATION EQUIPMENT	67,516	87,516	86,516	100,516
WSN–7B ring laser gyroscopes		0	15,000	15,000
WQN–2 doppler sonar velocity logs		10,000	0	5,000
Thermal imagers for MSC ships		0	4,000	3,000
Computer aided dead reckoning tracers		10,000	0	10,000
ITEMS LESS THAN $5.0M	126,133	154,533	132,633	132,133
Afloat force protection		24,400	0	0
Integrated condition assessment system		4,000	6,450	6,000
RADAR SUPPORT	0	22,300	16,000	20,000
AN/BPS–15H/15J/16 submarine navigation radar upgrade		8,000	8,000	8,000
AN/SPS–73 surface search radar		14,300	8,000	12,000
UNDERSEA WARFARE SUPPORT EQUIPMENT	2,605	11,205	2,605	8,605
Surface ship torpedo defense (Note: In addition to the directives in the House report, the conferees agree that up to $2,000,000 of the funds provided shall be available for the distributed engineering capability that captures the SSTD products in a simulation-based acquisition toolset both to support the system integration with large deck engineering activities and to provide an affordable, cost-efficient approach for system acquisition.)		8,600	0	6,000
NAVY TACTICAL DATA SYSTEM	0	25,000	0	22,450
LHA combat display console upgrades		20,000	0	20,000
Display emulators for land based sites		5,000	0	2,450
OTHER TRAINING EQUIPMENT	44,229	54,229	44,229	51,429
BFTT air traffic control trainers for aircraft carriers		5,800	0	3,000
BFTT electronic warfare trainers		4,200	0	4,200
TADIX–B:	6,248	23,548	6,248	20,548
Joint Tactical Terminals—Navy (Note: Funds are only for procurement of joint tactical terminals and/or common integrated broadcast service-module upgrade kits.)		17,300		14,300
ITEMS LESS THAN $5.0M	5,206	10,206	5,206	9,206
Shipboard display emulators for surface ships		5,000	0	4,000
SUBMARINE COMMUNICATION EQUIPMENT	85,368	53,268	85,368	83,668
Submarine high data rate antennas		−30,400	0	0
Submarine antenna distribution system		−1,700	0	−1,700
AN/SSQ–62 (DICASS)	17,111	17,711	20,111	16,711
Unit price savings based on FY 99 actual costs		−4,400	0	−4,400
Additional sonobuoys		5,000	3,000	4,000
WEAPONS RANGE SUPPORT EQUIPMENT	12,166	12,166	23,166	23,166
Mobile remote emitter simulator		0	6,000	6,000
PMRF upgrades		0	5,000	5,000
AVIATION LIFE SUPPORT	17,053	23,053	35,153	37,053
Omni IV/V night vision goggles		0	18,100	14,000
Inertial reels		6,000	0	6,000
AIRBORNE MINE COUNTERMEASURES	40,455	40,455	40,455	31,502
Combat Survivor Evader Locator				−8,953
AEGIS SUPPORT EQUIPMENT	86,668	93,668	86,668	91,668
CAST lesson authoring system		2,000	0	1,000
Wireless sensors		5,000	0	4,000

PROCUREMENT, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
PROCUREMENT, MARINE CORPS					
LAV PIP	1,706	1,706	5,706	--	1,706
GENERAL PURPOSE ELECTRONIC TEST EQUIP	7,863	7,863	9,863	--	10,663
NIGHT VISION EQUIPMENT	9,032	17,532	14,032	--	17,532
RADIO SYSTEMS	82,881	82,881	93,781	--	93,781
COMM SWITCHING & CONTROL SYSTEMS	65,125	98,025	65,125	--	65,125
COMM & ELEC INFRASTRUCTURE SUPPORT	81,770	139,070	81,770	--	126,770
MOD KITS MAGTF C41	13,821	18,821	13,821	--	16,821
FIRE SUPPORT SYSTEM	---	6,000	---	--	5,000
COMMAND SUPPORT EQUIPMENT	---	2,000	---	--	2,000
MATERIAL HANDLING EQUIP	50,010	66,510	60,010	--	66,510
FIELD MEDICAL EQUIPMENT	2,445	7,645	6,445	--	7,945
MODIFICATION KITS	---	2,000	---	--	1,000
ITEMS LESS THAN $5.0M	9,102	9,102	12,102	--	12,102

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
GENERAL PURPOSE ELECTRONIC TEST EQUIP	7,863	7,863	9,863	10,663
k-band test obstrucation pairing system		0	2,000	0
k-band test obstrucation pairing system and its associated range instrumentation for the USMCR		0	(800)	2,800
FIELD MEDICAL EQUIPMENT	2,445	7,645	6,445	7,945
Chemical Biological Incident Response Team		0	4,000	3,000
Small unit biological detector		5,200	0	2,450

COMMUNICATIONS AND ELECTRONICS INFRASTRUCTURE

The conferees recommend an increase of $45,000,000 to the Communications and Electronics Infrastructure line for the upgrading and replacement of key information transfer components located inside buildings on Marine Corps bases/stations, to include Camp Smith, Barstow, 29 Palms, Camp Pendleton, and Quantico.

AIRCRAFT PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
AIRCRAFT PROCUREMENT, AIR FORCE					
F-22 RAPTOR	1,574,981	---	1,574,981	--	---
F-22 RAPTOR (AP-CY)	277,094	---	277,094	--	---
F-15	---	440,000	220,000	5	275,000
F-15 ADV PROC	---	---	---	--	25,000
F-16 C/D (MYP)	252,610	350,610	302,610	10	245,610
C-17 (MYP)	3,080,147	2,671,047	3,080,147	15	2,671,047
C-17 (MYP) (AP-CY)	304,900	301,700	304,900	--	303,300
C-17 INTERIM CONTRACTOR SUPPORT	---	---	---	--	396,600
EC-130J	---	---	87,800	1	87,800
C-130J	30,618	17,718	54,818	--	46,818
JPATS	88,232	106,332	142,232	29	113,232
V-22 OSPREY	29,203	16,736	29,203	--	22,203
OPERATIONAL SUPPORT AIRCRAFT	---	63,000	---	1	63,000
TARGET DRONES	36,152	31,652	36,152	--	31,652
E-8C	280,265	468,465	280,265	1	231,465
E-8C (AP-CY)	---	---	46,000	--	36,000
E-8C INTERIM CONTRACTOR SUPPORT	---	---	---	--	25,800
PREDATOR UAV	38,003	58,003	38,003	3	58,003
B-1B	130,389	147,039	121,989	--	127,039
B-52	15,973	15,973	24,873	--	24,873
F-117	34,646	34,646	39,646	--	37,646
A-10	24,360	29,360	24,360	--	25,860
F-15	263,490	321,818	255,190	--	307,990
F-16	249,536	295,536	294,936	--	283,036

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
C-17A	95,643	93,543	99,143	--	97,043
T-38	94,487	43,987	94,487	--	43,987
KC-10A (ATCA)	53,366	29,757	53,366	--	29,757
C-130	207,646	165,546	207,646	--	167,296
C-135	347,088	552,988	347,088	--	448,988
DARP	138,436	302,936	208,436	--	237,736
E-3	124,061	94,561	124,061	--	105,061
E-4	19,985	9,985	19,985	--	14,985
PASSENGER SAFETY MODIFICATIONS	---	75,000	40,000	--	48,000
SPARES AND REPAIR PARTS	420,921	420,921	355,921	--	423,421
COMMON SUPPORT EQUIPMENT	171,369	183,369	181,369	--	177,697
B-2A	106,882	75,482	106,882	--	67,482
B-2 INTERIM CONTRACTOR SUPPORT	---	---	---	--	47,600
F-16 POST PRODUCTION SUPPORT	30,010	50,010	30,010	--	45,010
WAR CONSUMABLES	29,282	54,282	8,429	--	29,282
MISC PRODUCTION CHARGES	339,624	339,624	369,624	--	369,624

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
F–16 C/D (MYP)	252,610	350,610	302,610	245,610
Excess ECO and NRE		−17,000		−7,000
Additional aircraft		115,000	50,000	0
C–130J	30,618	17,718	54,818	46,818
Spares and Modifications			24,200	12,100
Transfer ICS to O&M		−12,900		
Simulator upgrade				4,100
JPATS	88,232	106,332	142,232	113,232
Additional aircraft		21,000	54,000	25,000
Transfer ICS to O&M		−2,900		0
E–8C	280,265	468,465	280,265	231,465
Funds budgeted for shutdown		−13,000		−13,000
Refurbishment cost savings based on acquisition of German VIP aircraft		−23,000		−10,000
Transfer ICS to separate line		−25,800		−25,800
PREDATOR UAV	38,003	58,003	38,003	58,003
Additional air vehicles and other support		20,000		20,000
B–1B	130,389	147,039	121,989	127,039
Excess Link 16 funds		−8,350		−8,350
Delays in Block E Computer Upgrade Program			−8,400	0
Conventional Bomb Modules		25,000		5,000
F–15	263,490	321,818	255,190	307,990
Excess funds for APG–63 radar nonrecurring		−22,000	−28,300	−20,000
Excess funds for mods per GAO		−8,672		−3,000
E-Kit engine upgrades for the Air National Guard		25,000	20,000	20,000
E-Kit engine upgrades for the active		25,000		20,000
Fighter data link (active)		21,000		10,000
Fighter data line (guard)		18,000	(17,450)	17,450
F–16	249,536	295,536	294,936	283,036
Unjustified modification cost growth		−7,100		0
Litening II		30,000		0
600 gallon fuel tanks			4,000	2,450
Onboard oxygen generating system (OBOGS)			5,000	3,000
Digital Terrain System (DTS)		12,000	12,000	10,000
Theater Airborne Reconnaissance System (TARS)			13,450	7,000
F–16 digital engine control & engine modifications		11,100	10,900	11,000
C–17A	95,643	93,543	99,143	97,043
Unjustified cost growth in electronic flight control		−2,100		−2,100
C–17 maintenance trainer and cargo compartment trainer			3,450	3,450
T–38	94,487	43,987	94,487	43,987
Schedule delays in Avionics Upgrade Program		−50,000		−50,000
Engine program		−450		−450
Note: The Conferees agree that the Air Force may enter into a low rate production contract for the Avionics Upgrade Program				
C–130	207,646	165,546	207,646	167,296
Transfer to RDTEAF for Avionics Modernization Program		−38,600		−38,600
Excess ECO funding in Airlift Defensive Systems		−3,450		−1,750
C–135	347,088	552,988	347,088	448,988
KC–135 reengine for Air National Guard		208,000		104,000
Excessive cost growth in Pacer Crag installs		−2,100		−2,100
DARP	138,436	302,936	198,436	237,736
Additional RC–135 reenginings		60,000	60,000	60,000
TAWS on RC–135 Rivet Joint		17,300		10,800
SYERS on U–2		9,000		5,000
Common Data Link on U–2		5,000		3,450
Quick Reaction Capabilities for RC–135 Rivet Joint		13,400		10,000
U–2 upgrades/cockpit and defensive systems		22,000		10,000
Program transfer from GDIP		37,800		0
U–2 Defensive System Modernization			(10,000)	0
E–3	124,061	94,561	124,061	105,061
Proper phasing of SATCOM integration funding		−6,000		−6,000
Restructured computer upgrade program		−16,700		−14,200
Accelerate Block 30/35 installations		11,200		11,200
Excess RSIP NRE, ECO, and OGC funds		−6,000		−3,000
Proper phasing of RSIP SE/PM funding		−12,000		−7,000
PASSENGER SAFETY MODIFICATIONS	0	75,000	40,000	48,000
TAWS (Note: Funding includes, but is not limited to upgrade of the KC–135)		40,000		30,000
GATM		35,000		18,000
SPARES AND REPAIR PARTS	420,921	420,921	355,921	423,421
C–12 Spare Parts			5,000	2,450
Program reduction			−70,000	0
COMMON SUPPORT EQUIPMENT	171,369	183,369	181,369	177,697
Modular Airborne Firefighting System for ANG		6,000		3,450
Common, multi-platform boresight equipment		1,400	10,000	3,000
LANTIRN Support and Bomb Damage Assessment		10,600		5,300
Self Generating Nitrogen Servicing Cart		4,000		2,000
JSECTS production delayed to FY 2001		−7,472		−7,472
CAPRE		−2,528		0
B–2A	106,882	75,482	106,882	67,482
B–2 shelters		16,200		8,200
Transfer ICS to separate line		−47,600		−47,600
F–16 POST PRODUCTION SUPPORT	30,010	50,010	30,010	45,010
IAIS Active		10,000		5,000
IAIS Guard		5,000		5,000
IAIS Reserves		5,000		5,000

JOINT STARS

The conferees agree with the Senate direction regarding the initiation of a pilot program to re-engine the JSTARS fleet with leased commercial engines. The conferees note that lease authority applies only to JSTARS and not to KC–135 aircraft.

ON-BOARD OXYGEN GENERATING SYSTEM (OBOGS)

The House recedes to the Senate with modifications. The conferees concur with the Senate report language directing the Secretary of the Air Force to provide a report on compliance with previous Congressional direction regarding installation of OBOGS on various aircraft, including implementation costs and potential cost savings. The Senate report further directs that OBOGS purchases from qualified vendors, including small business, be conducted on a competitive basis. The conferees fully support the competitive procurement of OBOGS for those aircraft models for which OBOGS procurement action has not been initiated.

C–135 MODIFICATIONS

The conferees have provided $104,000,000 for re-engining of KC–135 tankers. The conferees are aware of multiple options for re-engining KC–135 aircraft. A number of options exist, including a new proposal to shift modified C–141 engines to these aircraft.

The conferees believe that the KC–135 re-engining program should proceed under a comprehensive plan based on requirements and cost, utilizing competition and commercial practices to the maximum extent practicable. The conferees direct the Department of Defense to analyze all options for re-engining KC–135 aircraft. The conferees direct that the plan assess the annual and total cost of all options and the range of capability improvements offered by each option. The conferees direct that this plan be provided to the congressional defense committees no later than February 25, 2000, and prior to the obligation of the added funds.

DEFENSE AIRBORNE RECONNAISSANCE PROGRAM

The conferees agree to provide $10,800,000 for the Theater Airborne Warning System (TAWS) on the RC–135 Rivet Joint. The conferees direct that no more than fifty (50) percent of these funds may be obligated prior to the Secretary of the Air Force providing a letter to the congressional defense committees which certifies that the TAWS program is fully funded in the fiscal year 2001–2006 budget submitted to Congress and identifies all of the outyear funds budgeted for the TAWS program.

MISSILE PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
MISSILE PROCUREMENT, AIR FORCE					
JOINT STANDOFF WEAPON	79,981	60,981	79,981	74	40,681
AMRAAM	97,279	190,279	97,279	210	90,279
SIDEWINDER (AIM-9X)	31,103	31,103	---	--	---
MM III MODIFICATIONS	242,960	277,960	282,960	--	280,460
AGM-65D MAVERICK	2,800	12,800	2,800	--	9,800
SPACEBORNE EQUIP (COMSEC)	9,594	4,594	9,594	--	4,594
GLOBAL POSITIONING (SPACE)	139,049	103,349	139,049	--	126,849
GLOBAL POSITIONING (SPACE) (AP-CY)	31,798	---	31,798	--	---
NUDET DETECTION SYSTEM	11,375	1,575	11,375	--	1,575
DEF METEOROLOGICAL SAT PROG(SPACE)	38,223	34,223	38,223	--	36,223
DEFENSE SUPPORT PROGRAM(SPACE)	111,609	106,609	111,609	--	109,109
EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	70,812	66,812	70,812	1	68,812
SPECIAL PROGRAMS	716,703	636,703	716,703	--	666,703
SPECIAL UPDATE PROGRAMS	199,640	75,840	169,640	--	199,640
MILSTAR (SPACE)	---	150,000	---	--	---

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
JOINT STANDOFF WEAPON	79,981	60,981	79,981	40,681
Delay procurement of BLU–108 variant		−39,300		−39,300
Baseline variant		20,300		0
AMRAAM	97,279	190,279	97,279	90,279
Transfer funds to RDTEAF for P31 phase III		−7,000		−7,000
Procure additional AMRAAMs		100,000		0
MM III MODIFICATIONS	242,960	277,960	282,960	280,460
Guidance Replacement Program		40,000	40,000	40,000
Pricing of Propulsion Replacement Program		−5,000		−2,450
GLOBAL POSITIONING (SPACE)	139,049	103,349	139,049	126,849
Rubidium Clock Build		−5,450		−3,000
Premature GPS Block IIF launch services and on-orbit support		−25,200		−25,200
Delays in GPS IIF crosslink		−5,000		−5,000
Satellite Telecommunication Simulator				17,000
EELV Integration				4,000

PROCUREMENT OF AMMUNITION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
PROCUREMENT OF AMMUNITION, AIR FORCE					
SENSOR FUZED WEAPON	61,334	73,634	69,334	203	79,334
JOINT DIRECT ATTACK MUNITION	125,605	175,605	125,605	5,410	130,605

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
PRACTICE BOMBS	24,325	24,325	24,325	24,325
Cast Ductile Bomb		(6000)		(3000)
SENSOR FUZED WEAPON	61,334	73,634	69,334	79,634
Provide for minimum SFW (baseline variant) sustaining rate		12,300	8,000	18,300

OTHER PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
OTHER PROCUREMENT, AIR FORCE					
60K A/C LOADER	81,163	82,363	93,663	39	93,663
INTELLIGENCE COMM EQUIP	5,495	28,395	5,495	--	26,395
AIR TRAFFIC CTRL/LAND SYS (ATCALS)	887	5,887	887	--	3,387
NATIONAL AIRSPACE SYSTEM	54,394	45,394	54,394	--	45,394
THEATER AIR CONTROL SYS IMPROVEMENT	37,917	23,417	31,917	--	27,917
AUTOMATIC DATA PROCESSING EQUIP	71,173	84,173	71,173	--	80,173
COMBAT TRAINING RANGES	17,503	17,503	45,503	--	45,503
C3 COUNTERMEASURES	13,275	13,275	18,275	--	15,775
THEATER BATTLE MGT C2 SYS	47,648	44,548	47,648	--	47,648
BASE INFORMATION INFRASTRUCTURE	122,839	179,339	122,839	--	137,839
DEFENSE MESSAGE SYSTEM (DMS)	14,025	4,125	14,025	--	14,025
NAVSTAR GPS SPACE	14,614	13,314	14,614	--	13,314
AF SATELLITE CONTROL NETWORK SPACE	33,591	17,591	33,591	--	31,591
EASTERN/WESTERN RANGE I&M SPACE	83,410	107,910	83,410	--	83,410
MILSATCOM SPACE	46,257	37,757	46,257	--	42,257
TACTICAL C-E EQUIPMENT	49,710	49,710	84,710	--	79,710
COMM ELECT MODS	56,195	53,995	56,195	--	56,195
BASE/ALC CALIBRATION PACKAGE	10,157	7,557	10,157	--	8,857
NIGHT VISION GOGGLES	2,800	4,800	2,800	--	3,800
ITEMS LESS THAN $5.0M	3,559	6,559	5,959	--	5,959
BASE PROCURED EQUIPMENT	14,035	25,035	14,035	--	19,535
INTELLIGENCE PRODUCTION ACTIVITY	40,047	16,247	40,047	--	49,047
TECH SURV COUNTERMEASURES EQ	2,976	3,976	2,976	--	3,776
SELECTED ACTIVITIES	5,352,231	5,163,331	5,376,031	--	5,288,961

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
THEATER AIR CONTROL SYS IMPROVEMENT	37,917	23,417	31,917	27,917
Reduced requirements for interface units		−8,450		−4,000
Transfer to RDTEAF for Expert Missile Tracker		−6,000	−6,000	−6,000
AUTOMATIC DATA PROCESSING EQUIP	71,173	84,173	71,173	80,173
SPARES		10,000		6,000
Battlelab Collaborative Network		3,000		3,000
BASE INFORMATION INFRASTRUCTURE	122,839	179,339	122,839	137,839
Information assurance		30,000		15,000
Communication infrastructure		26,450		0
EASTERN/WESTERN RANGE I&M SPACE	83,410	107,910	83,410	83,410
Air Force identified shortfall in space ranges		27,000		0
Transfer ICS to O&M		−2,450		0
MILSATCOM SPACE	46,257	37,757	46,257	42,257
Program delays		−6,300		−3,000
Delay hardware pending software maturity		−2,200		−1,000
BASE PROCURED EQUIPMENT	14,035	25,035	14,035	19,535
Master Cranes for ANG		5,000		2,450
Ultimate building machines for ANG		1,000		600
Ultimate building machines for Reserve		1,000		600
Laser leveling		2,000		1,000
Hazardous gas detection equipment		2,000		1,000
INTELLIGENCE PRODUCTION ACTIVITY	40,047	16,247	40,047	49,047
Cobra Upgrades		10,000		7,000
Software Development and Training Facility		+4,000		2,000
Program transfer to JMIP		−37,800		0

The U–2 is the premier tactical reconnaissance asset requested by the CINCs around the world. This system of aircraft, pilot, ground crew and equipment is tasked daily to support military operations, monitor conflicts, and maintain peace agreements. The recent NATO campaign in Kosovo, where the U–2 provided 24-hour in-theater coverage, showcased the capabilities of the system. The conferees understand that the U–2 was considered by many to be the ''backbone'' of the airborne Intelligence, Surveillance, and Reconnaissance (ISR) mission in Kosovo.

The conferees are concerned that the increased number of missions, along with the limited number of U–2 aircraft and the declining number of qualified pilots in the Air Force, will adversely affect the ability of the U–2 to meet future ISR requirements.

Therefore, the conferees request the Secretary of Defense submit a report to the defense subcommittees of the House and Senate Committees on Appropriations, which addresses the following:

1. The performance and contributions of the U–2 aircraft in Operation Allied Force;
2. The status of qualified U–2 pilots and training needs for new pilots;
3. The number of U–2 aircraft required to maintain current capabilities, train new pilots, and continue to fulfill the Air Force's high altitude reconnaissance mission; and
4. The Air Force's plan to sustain the U–2 weapon system, with its multi-sensor payloads, and sensor-to-shooter flexible targeting assets until such time as a replacement with equal or greater capability can be operationally fielded.

This report is due to the Committees within 90 days of enactment of this Act.

The conferees agree to provide a total of $10,000,000 for U–2 cockpit and defensive systems. The Air Force should prioritize these upgrades and apply the $10,000,000 as necessary to meet the most pressing requirements.

PROCUREMENT, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
PROCUREMENT, DEFENSE-WIDE					
MAJOR EQUIPMENT, OSD	88,976	166,976	88,976	--	126,976
DEFENSE SUPPORT ACTIVITIES	47,455	56,455	47,455	--	56,455
AUTOMATIC DOCUMENT CONVERSION SYSTEM	---	12,500	50,000	--	20,000
PATRIOT PAC-3	300,898	300,898	360,898	32	345,898
NAVY AREA TBDM PROGRAM	55,002	55,002	---	--	18,200
SOF ROTARY WING UPGRADES	41,233	83,233	41,233	--	83,233
C-130 MODIFICATIONS	98,893	98,893	116,893	--	106,893
ADVANCED SEAL DELIVERY SYS	21,213	7,400	21,213	--	7,400
ADVANCED SEAL DELIVERY SYS (AP-CY)	17,286	8,000	17,286	--	8,000
SOF ORDNANCE REPLENISHMENT	37,876	37,876	43,876	--	37,876
SOF INTELLIGENCE SYSTEMS	19,154	21,154	19,154	--	20,154
SOF SMALL ARMS & WEAPONS	23,355	30,355	28,355	--	25,355
CLASSIFIED PROGRAMS	110,147	110,147	200,147	--	110,147
INDIVIDUAL PROTECTION	124,612	125,612	124,612	--	125,612
DECONTAMINATION	10,920	10,920	15,920	--	13,920
CLASSIFIED PROGRAMS	438,263	459,763	458,263	--	444,763
HUMAN RESOURCES ENTERPRISE STRATEGY	---	7,500	---	--	5,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
MAJOR EQUIPMENT, OSD: Procurement investment in High Performance Computing	88,976	166,976	88,976	126,976
[Note: $20,000,000 is only for the Army High Performance				
Research Center		75,000		35,000
Mentor-protége		3,000		3,000
MAJOR EQUIPMENT, DLA				
DEFENSE SUPPORT ACTIVITIES	47,455	62,455	47,455	62,455
Electronic Commerce Resource Centers		9,000		9,000
[Transfer of $6,000,000 from RDTE, DW for ECRCs.]		6,000		6,000
SOF SMALL ARMS AND WEAPONS	23,355	30,355	28,355	25,355
Nightstar binoculars		7,000		2,000
INOD			5,000	
CHEMICAL/BIOLOGICAL DEFENSE				
INDIVIDUAL PROTECTION	124,612	125,612	124,612	125,612
M42 protective mask reclamation		1,000		1,000

NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
NATIONAL GUARD & RESERVE EQUIPMENT					
RESERVE EQUIPMENT					
ARMY RESERVE MISCELLANEOUS EQUIPMENT	---	30,000	42,000	--	30,000
NAVY RESERVE MISCELLANEOUS EQUIPMENT	---	20,000	25,000	--	20,000
MARINE CORPS RESERVE MISCELLANEOUS EQUIPMENT	---	20,000	25,000	--	20,000
AIR FORCE RESERVE MISCELLANEOUS EQUIPMENT	---	20,000	33,000	--	20,000
NATIONAL GUARD EQUIPMENT					
ARMY NATIONAL GUARD MISCELLANEOUS EQUIPMENT	---	20,000	62,500	--	30,000
AIR NATIONAL GUARD MISCELLANEOUS EQUIPMENT	---	20,000	62,500	--	30,000

MISCELLANEOUS EQUIPMENT

The conferees agree that each of the Chiefs of the Reserve and National Guard components should exercise control of modernization funds provided in this account including aircraft and aircraft modernization. The conferees further agree that separate submissions of a detailed assessment of its modernization priorities by the component commanders is required to be submitted to the defense committees. The conferees expect the component commanders to give priority consideration to the following items: Modular airborne fire fighting systems, F–16 ALR–56M radar warning receivers, ALR–56 radar warning receivers, Deployable rapid assembly shelters, FAASV ammunition carriers, Mobile radar approach control (RAPCON), F/A–18 modernization including avionics and engineering upgrades, Bradley AO–A2ODS, KC–135 reengining, Paladin, P–3 modernization including P–3C Update III BMUP Kits, Night vision devices and goggles, CH–47 helicopters, AN/PEQ–2A TPIALs, AN/PAQ–4C Infrared aiming lights, Master crane aircraft component hoisting systems, Aluminum mesh gas tank liners for C–130 aircraft and Army ground vehicles, A/B FIST 21 training systems, CH–60S combat search and rescue kits, Super scooper aircraft, C–40A aircraft, C–22 replacement aircraft, Secure communications and data systems, CH–60 helicopters, M270A1 long-range surveillance launchers, AN/AVR–2A(V) laser detecting sets, ALQ–184(V)9 electronic countermeasure pods, Extended cold weather clothing systems, HEMTT trucks, Multi-role bridge companies, Medium tactical wreckers, Rough terrain container cranes, CH–47 cargo compartment expanded range fuel systems, C–38A aircraft, C–17 communication suite upgrades, Internal crashworthy fuel cells, DFIRST, UH–60Q kits, MLRS launchers, Meteorological measuring systems, Improved target simulators, C–17 Maintenance training systems, Multiple launch rocket systems, Onboard oxygen generating systems field evaluation, LITENING II targeting pod systems, F–16 mid-life upgrade, SINCGARS radios, UH–1 modernization, UH–60 upgrades, C–130E, C–130 H2/H3 ATS-Eng. changes, C–130 Carry-on SADL, F–16 color display, F–16 SADL ''D'', B–1 weapons modules, Aircraft lighting systems, Logistics service support, JANUS, M915A4 Upgrade kits, Rough terrain container handlers, E–2C SATCOM, ALR–67 radar warning receivers, KC–130T avionics modernization, Bradley fighting vehicle upgrades, F–15 modernization, C–130J support, MT ANG–RACTS pods rangeless training systems, HMMWV striker vehicles, Tactical construction equipment, Eagle vision antennas, Advanced surgical suite for trauma casualties, Modern burning units, AN/TMQ41 meteorological measuring systems, Vehicle intercom systems, Air defense brigade automated command and control equipment, Avenger table top trainers (ATTT), Ground bases sensors for Avenger battalions, Support equipment for Patriot missile air defense battalions and Sandbagger.

SUPPORT TO NON-PROFIT ORGANIZATIONS

The conferees have included a general provision (Section 8127) which allows National Guard units to assist with the use or transportation of equipment to youth, social, fraternal, and other non-profit organizations, and allows the Chief of the National Guard Bureau to waive payment for this assistance. The conferees urge the Secretary of Defense to review current regulations and policy guidelines concerning the leasing of equipment to non-profit organizations, and provide a report to the defense committees no later than June 1, 2000, on the implementation of this waiver authority.

DEFENSE PRODUCTION ACT

The conference agreement on items addressed by either the House or the Senate is as follows: $3,000,000 only for microwave tubes.

TITLE IV – RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RECAPITULATION				
RDTE, ARMY	4,426,194	5,148,093	4,914,294	5,266,601
RDTE, NAVY	7,984,016	9,080,580	8,421,976	9,110,326
RDTE, AIR FORCE	13,077,829	13,709,233	13,489,909	13,674,537
RDTE, DEFENSE-WIDE	8,609,289	8,935,149	9,327,155	9,256,705
DEVELOPMENTAL TEST AND EVALUATION	253,457	271,957	251,957	265,957
OPERATIONAL TEST AND EVALUATION	24,434	29,434	34,434	31,434
GRAND TOTAL, RDTE	34,375,219	37,174,446	36,439,725	37,605,560

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, ARMY				
DEFENSE RESEARCH SCIENCES	125,613	125,613	126,613	126,613
UNIVERSITY AND INDUSTRY RESEARCH CENTERS	47,066	47,066	69,366	65,066
MATERIALS TECHNOLOGY	13,849	13,849	16,349	16,349
SENSORS AND ELECTRONIC SURVIVABILITY	22,978	25,978	22,978	24,978
MISSILE TECHNOLOGY	32,892	43,892	44,092	48,392
MODELING AND SIMULATION TECHNOLOGY	24,955	24,955	29,955	29,955
COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	39,749	42,249	53,249	55,249
BALLISTICS TECHNOLOGY	36,287	42,287	36,287	42,287
CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,996	3,996	5,996	4,996
WEAPONS AND MUNITIONS TECHNOLOGY	34,687	37,187	34,687	36,687
ELECTRONICS AND ELECTRONIC DEVICES	25,796	37,596	31,396	37,096
COUNTERMINE SYSTEMS	10,321	14,121	13,121	14,521
ENVIRONMENTAL QUALITY TECHNOLOGY	12,758	81,258	24,758	80,258
MILITARY ENGINEERING TECHNOLOGY	41,085	61,085	45,385	47,885
WARFIGHTER TECHNOLOGY	23,971	26,971	23,971	25,971
MEDICAL TECHNOLOGY	70,136	169,636	87,636	176,636
DUAL USE APPLICATIONS PROGRAM	18,222	10,000	18,222	10,000
WARFIGHTER ADVANCED TECHNOLOGY	31,287	42,773	31,287	45,287
MEDICAL ADVANCED TECHNOLOGY	10,539	69,339	35,039	74,539
WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	39,893	67,643	39,893	58,643
COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	90,941	137,441	103,941	131,941
COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	20,883	20,883	30,883	27,883
MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	3,030	3,030	6,030	5,030
MISSILE AND ROCKET ADVANCED TECHNOLOGY	43,639	51,639	48,639	51,639

(In thousands of dollars)

	Budget	House	Senate	Conference
JOINT SERVICE SMALL ARMS PROGRAM	4,869	4,869	9,869	8,869
LINE-OF-SIGHT TECHNOLOGY DEMONSTRATION	41,619	---	41,619	38,000
NIGHT VISION ADVANCED TECHNOLOGY	36,628	45,628	36,628	42,628
ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECH	22,610	27,610	24,610	27,610
ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (DEM/VAL)	12,353	24,853	57,553	63,553
LANDMINE WARFARE AND BARRIER - ADV DEV	4,099	12,099	4,099	11,099
ARMAMENT ENHANCEMENT INITIATIVE	36,937	56,937	51,937	56,937
TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - ADV DEV	---	2,500	---	---
AVIATION - ADV DEV	5,746	5,746	10,746	8,746
WEAPONS AND MUNITIONS - ADV DEV	1,751	4,751	1,751	4,751
LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	6,514	9,514	6,514	8,514
MEDICAL SYSTEMS - ADV DEV	12,723	12,723	18,523	16,723
ARTILLERY SYSTEMS - DEM/VAL	282,937	282,937	282,937	268,137
COMANCHE	427,069	427,069	483,069	467,069
EW DEVELOPMENT	78,603	78,603	82,603	80,603
ALL SOURCE ANALYSIS SYSTEM	49,684	57,684	49,684	53,684
FAMILY OF HEAVY TACTICAL VEHICLES	---	1,400	---	1,400
AIR TRAFFIC CONTROL	1,981	5,981	1,981	4,981
TACTICAL UNMANNED GROUND VEHICLE (TUGV)	---	7,000	---	5,000
NIGHT VISION SYSTEMS - ENG DEV	30,644	36,544	30,644	38,644
COMBAT FEEDING, CLOTHING, AND EQUIPMENT	110,829	84,329	84,329	60,829
NON-SYSTEM TRAINING DEVICES - ENG DEV	71,034	74,234	71,034	73,034
AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,252	20,252	10,252	16,252
TACTICAL EXPLOITATION OF NATIONAL CAPABILITIES - EMD	70,940	70,940	70,940	72,440
BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	128,026	144,026	138,026	144,026

(In thousands of dollars)

	Budget	House	Senate	Conference
JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM.....	11,535	27,535	21,535	26,035
AVIATION - ENG DEV.....	6,312	13,312	6,312	13,312
WEAPONS AND MUNITIONS - ENG DEV.....	54,943	73,143	64,143	69,143
LANDMINE WARFARE/BARRIER - ENG DEV.....	40,916	30,120	40,916	30,120
SENSE AND DESTROY ARMAMENT MISSILE - ENG DEV.....	19,366	19,366	29,366	24,366
ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE...	35,299	39,799	35,299	39,799
FIREFINDER.....	32,353	32,353	40,253	40,253
ARTILLERY SYSTEMS - EMD.....	65,806	65,806	65,806	4,800
THREAT SIMULATOR DEVELOPMENT.....	13,680	13,680	21,380	19,880
CONCEPTS EXPERIMENTATION PROGRAM.....	16,990	19,990	19,990	20,990
ARMY TEST RANGES AND FACILITIES.....	137,193	147,193	144,693	147,193
ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.....	30,470	31,670	30,470	31,670
SURVIVABILITY/LETHALITY ANALYSIS.....	30,138	40,138	30,138	35,138
DOD HIGH ENERGY LASER TEST FACILITY.....	14,230	34,230	28,230	31,230
MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY...	10,537	19,037	16,037	19,037
ENVIRONMENTAL COMPLIANCE.....	---	8,000	---	4,000
MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)....	5,191	5,191	28,191	28,191
MLRS PRODUCT IMPROVEMENT PROGRAM.....	36,540	67,440	67,140	67,440
ADV FIELD ARTILLERY TACTICAL DATA SYSTEM.....	36,222	42,722	36,222	41,222
COMBAT VEHICLE IMPROVEMENT PROGRAMS.....	29,544	42,544	51,944	84,544
MANEUVER CONTROL SYSTEM.....	45,125	46,125	45,125	46,125
AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS...	51,644	51,644	66,644	81,644
AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	2,900	4,900	2,900	3,900
FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)...	44,225	59,225	65,925	65,925
FORCE TWENTY-ONE (XXI), WARFIGHTING RAPID ACQUISITION.	55,921	36,621	55,921	36,621

(In thousands of dollars)

	Budget	House	Senate	Conference
MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.....	29,985	34,985	29,985	32,485
OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.....	9,914	20,914	9,914	17,914
INFORMATION SYSTEMS SECURITY PROGRAM.....	9,426	15,426	9,426	15,426
DIGITAL INFORMATION TECHNOLOGY TEST BED.....	---	2,000	---	---
SECURITY AND INVESTIGATIVE ACTIVITIES.....	---	10,000	---	7,000
TACTICAL UNMANNED AERIAL VEHICLES.....	3,866	43,866	3,866	43,866
END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.....	66,167	102,667	80,167	100,667
CLASSIFIED PROGRAMS.....	---	---	4,500	8,500
ARMY GROUND INTELLIGENCE CENTER.....	---	35,000	---	4,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
DEFENSE RESEARCH SCIENCES	125,613	125,613	126,613	126,613
Cold regions military research		0	1,000	1,000
Vehicle mobility research		(3,000)	0	(3,000)
UNIVERSITY AND INDUSTRY RESEARCH CENTERS	47,066	47,066	69,366	65,066
Adv and interactive displays consortium		0	1,300	1,000
Basic research in counter terrorism		0	15,000	12,000
Electro and hypervelocity physics research		0	3,000	2,000
National Automotive Center		0	3,000	3,000
MISSILE TECHNOLOGY	32,892	43,392	44,092	48,392
Scramjet		2,000	2,000	2,000
Aero-optic evaluation center		5,000	0	3,000
GPS/IMU		4,000	0	2,450
COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	39,749	42,249	53,249	55,249
''Smart truck'' initiative		0	3,450	3,450
Full spectrum active protection		2,450	0	2,000
Alternative vehicle propulsion		0	10,000	10,000
BALLISTICS TECHNOLOGY	36,287	42,287	36,287	42,287
Electro-thermal chemical technology		(2,450)	0	(2,450)
Electromagnetic (EM) gun pulsed power technology		6,000	0	6,000
WEAPONS AND MUNITIONS TECHNOLOGY	34,687	37,187	34,687	36,687
Electro-rheological fluid recoil system		1,450	0	1,000
Extended range DPICM mortar munition, XM984		1,000	0	1,000
ELECTRONICS AND ELECTRONIC DEVICES	25,796	37,596	31,396	37,096
Display Performance and Environmental Evaluation Laboratory		5,000	(5,000)	3,000
(Note: House title this project: ARL, Electronics and Electronic Devices).				
Improved high rate alkaline cell		1,000	1,000	1,000
Low cost reusable alkaline manganese-zinc		1,400	1,400	1,400
Rechargeable coin cells		600	600	600
Lithium carbon monfluoride coin cell		600	600	600
''AA'' zinc battery		600	700	600
Diesel fuel reformer technology		3,000	0	3,000
Hybrid fuel cell		0	1,450	1,450
COUNTERMINE SYSTEMS	10,321	14,121	13,121	14,521
Humanitarian demining		0	1,800	1,800
Non-linear, acoustic technology		0	1,000	1,000
Standoff, multi-sensor mine system		3,800	0	1,400
ENVIRONMENTAL QUALITY TECHNOLOGY	12,758	81,258	24,758	80,258
Plasma Energy Pyrolysis system		9,000	8,000	8,000
Phyto-remediation in arid lands		0	3,000	3,000
Sustainable Green Manufacturing Initiative		7,000	0	5,450
Computer based land management model (TRIES)		3,000	1,000	2,000
Commercialization of Technologies to Lower Defense Costs		8,000	0	7,000
Demanufacturing of Electronic Equipment for Reuse and Recycling		13,000	0	13,000
Demanufacturing—Recycling site		3,000	0	3,000
Corrosion measurement and control project		9,000	0	9,000
Range Safe technology demonstration		10,000	0	10,000
Watervliet Arsenal		4,450	(6,000)	4,000
Vessel plating technology		2,000	0	1,000
NDCEE Pollution Prevention Initiative		0	(3,000)	2,000
MILITARY ENGINEERING TECHNOLOGY	41,085	61,085	45,385	47,885
GEOSAR		15,000	0	0
Climate change fuel cells		5,000	0	2,450
University Partnering for Ops support		0	3,000	3,000
Cold regions R&D		0	1,300	1,300
MEDICAL TECHNOLOGY	70,136	169,636	87,636	176,636
Disaster Relief and Emergency Medical Services (DREAMS)		10,000	5,000	10,000
Center for Innovative Minimally Invasive Therapy (CIMIT)		12,000	10,000	10,000
Osteoporosis and bone disease research		5,000	2,450	4,000
Polynitroxylated hemoglobin		4,000	0	2,000
Tissue regeneration for combat casualty care (TRC3)		2,450	0	2,450
Informatics-based medical emergency decision tools		4,450	0	4,450
Ovarian cancer		15,000	0	12,000
Molecular Genetics and Musculoskeletal Research Program (Note: $6,000,000 is only to continue the Army Molecular Genetics and Musculoskeletal Research Program.)		6,000	0	6,000
National Medical Testbed		15,000	0	15,000
Synchrotron-based high energy radiation beam cancer treatment (Note: $5,000,000 is only to continue the Army synchrotron-based radiaion beam cancer treatment program.)		5,000	0	5,000
Blood research (Note: $5,000,000 is only for improved blood products and safety in systems compatible with military field use.)		5,450	0	5,450
Neurofibromatosis		15,000	0	15,000
Dye targeted laser fusion		0	(4,000)	3,000
Neurotoxin Exposure Treatment Program (NETRP)		0	0	10,000
Eye research (Note: Only to support a collaborative, multi-disciplinary effort to achieve advancements in low-vision research)		0	0	2,000
WARFIGHTER ADVANCED TECHNOLOGY	31,287	42,773	31,287	45,287
Transfer from other procurement (CIDS)		9,486	0	7,000
Army metrology		2,000	0	1,000
Biosystems technology (Note: Senate provided funds in RDT&E, Defense-wide)		0	0	6,000
MEDICAL ADVANCED TECHNOLOGY	10,539	69,339	35,039	74,539
Center for Prostate Disease Research at WRAMC		0	7,450	7,450
Intravenous membrane oxygenator		0	1,000	1,000
Volume Angio CAT		0	6,000	6,000
Diabetes Project (Joslin)		7,000	5,000	7,000
Diabetes Project (Pittsburgh)		7,000	5,000	7,000
Gallo Cancer Center		5,000	0	3,000
Alcoholism research		7,000	0	7,000
HIV research		10,000	0	10,000
LSTAT		7,450	0	3,450
Advanced cancer detection		3,450	0	3,450
Laser vision correction		4,000	0	2,000
Enzymatic wound disinfectant		3,800	0	2,000
Epidermolysis Bullosa		1,000	0	1,000
Smart aortic arch catheter		3,000	0	1,450
Recombinant vaccine research		0	(2,000)	2,000
WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	39,893	67,643	39,893	58,643
Precision guided mortar munitions		8,000	0	5,000
Warhead and Energetics Center of Excellence		5,000	0	5,000
120mm, one-tenth training round		1,800	0	1,000
Future direct support weapons system		5,000	0	5,000
Microchip lasers		750	0	750
Future combat vehicle		4,000	0	2,000
Program increase		3,000	0	0
COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	90,941	137,441	103,941	131,941
Advanced Combat Automotive Technology		10,000	0	3,000
Silicon carbide fiber research		13,450	0	7,000
Mobile parts hospital		6,000	0	3,000
Diesel engine		6,000	0	6,000
Composite armor vehicle		3,000	0	3,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget	House	Senate	Conference
Combat vehicle research		8,000	0	8,000
(Note: Only for a technology transfer center to identify and transfer weight reduction technologies and processes for ground vehicles)				
Future Combat vehicle		0	5,000	0
Improved HMMWV research		0	8,000	6,000
Abrams engine (Note: Funds are only to accelerate activities for the insertion of a new engine in the Abrams fleet)		0	0	5,000
NIGHT VISION ADVANCED TECHNOLOGY	36,628	45,628	36,628	42,628
Helmet mounted sensors for firefighters and damage control		3,000	0	2,000
Wire detection and obstacle avoidance		5,000	0	3,000
Lightweight Man-portable Unmanned Aerial Vehicle		1,000	0	1,000
ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECH	22,610	27,610	24,610	27,610
Telemaintenance		5,000	0	3,000
Digital situation mapboard		0	2,000	2,000
ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (DEM/VAL)	12,353	24,853	57,553	63,553
Microelectromechanical (MEMS) systems process technology		6,450	0	6,450
Missile systems integration		3,000	0	3,000
Aero-acoustic instrumentation		3,000	0	2,000
Missile Defense Flight Experiment Support		0	14,700	14,700
Tactical High Energy Laser		0	15,000	10,000
Acoustic Technology Research		0	4,000	4,000
Radar Power Technology		0	4,000	4,000
Family of System Simulators		0	1,450	1,000
Small, fast, chembio detectors		0	1,000	1,000
SMDC Battlelab		0	5,000	5,000
ARTILLERY SYSTEMS—DEM VAL	282,937	282,937	282,937	268,137
Program delay		0	0	−14,800
NIGHT VISION SYSTEMS—ENG DEV	30,644	36,544	30,644	38,644
Combustion driven eyesafe laser		4,000	0	3,000
Enhanced night vision goggle		1,900	0	1,000
MELIOS—Eyesafe laser range finder				4,000
COMBAT FEEDING, CLOTHING, AND EQUIPMENT	110,829	84,329	84,329	60,829
Landwarrior		−26,450	−26,450	−50,000
TENCAP	70,940	70,940	70,840	72,440
Semi-automated Imagery Processor		0	0	1,450
(Note: House appropriated fund under Tactical Surveillance)				
JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM	11,535	27,535	21,535	26,035
Common Ground Station—Target Attack Radar		13,000	10,000	13,000
(Note: $10 million is only for SCDL and other programs, $3 million is for the development of new requirements).				
Joint service wideband datalink		3,000	0	1,450
WEAPONS AND MUNITIONS—ENG DEV	54,943	73,143	64,143	69,143
Small arms fire control system		4,450	0	2,450
Mortar anti-personnel/anti-material round		7,200	7,200	7,200
M2HB .50 caliber with quick change barrel		3,000	2,000	2,000
M795E1 extended range high explosive base burner		2,450	0	1,450
Rifle launch munition		1,000	0	1,000
ARTILLERY SYSTEMS—EMD	65,806	65,806	65,806	4,800
Program slip				−61,006
THREAT SIMULATOR DEVELOPMENT	13,680	13,680	21,380	19,880
Threat EO/IR simulator		0	2,450	2,000
Threat mine simulator		0	1,200	1,200
Virtual threat simulator		0	4,000	3,000
CONCEPTS EXPERIMENTATION PROGRAM	16,990	19,900	19,990	20,990
Mounted maneuver battlespace lab		3,000	0	2,000
Digital information technology testbed		0	3,000	2,000
ARMY TEST RANGES AND FACILITIES	137,193	147,193	144,693	147,193
White Sands Missile Range instrumentation		10,000	7,450	10,000
Program reduction		0	−9,000	0
General Provision		0	9,000	0
DOD HIGH ENERGY LASER TEST FACILITY	14,320	34,230	28,230	31,230
HELSTF		10,000	14,000	10,000
Solid state laser		10,000	0	7,000
MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	10,537	19,037	16,037	19,037
Contained detonation technology		3,000	3,000	3,000
Bluegrass Army depot		2,450	2,450	2,450
Cyrofracture disposal of anti-personnel mines		3,000	0	3,000
ENVIRONMENTAL COMPLIANCE	0	8,000	0	4,000
Natural gas boilers		3,000	0	1,450
Natural-term climate change fuel cells		5,000	0	2,450
COMBAT VEHICLE IMPROVEMENT PROGRAMS	29,544	42,544	51,944	84,544
Lightweight vehicle track development		2,000	0	1,000
M1 large area flat panel displays		8,000	8,000	8,000
VIS AN/VIC–3, cordless		3,000	0	1,000
Abrams 1st and 2nd generation health check system		0	1,400	1,400
Abrams legacy fleet on-vehicle diagnostics		0	10,000	9,000
Abrams test programs sets enhancement		0	3,000	3,000
Bradley IOT&E		0	0	22,000
(Note: Funds transferred from WTCV)				
Abrams engine upgrades (Note: Funds are to upgrade/sustain the existing engine)				10,000
AIRCRAFT MODIFICATIONS/PROJECT IMPROVEMENT PROGRAMS	51,644	51,644	66,644	81,644
Blackhawk SLEP		0	15,000	10,000
Apache Second Gen FLIR		0	0	20,000
(Note: House Provided funds in Aircraft Procurement, Army)				
END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	66,167	102,667	80,167	100,667
Munitions manufacturing technology		15,000	0	15,000
Rotary wing sustainment technology		3,000	0	1,450
Instrumental Factory for Gears (INFAC)		4,000	4,000	4,000
Totally Integrated Munitions Enterprise (TIME)		7,000	10,000	8,450
Optics Center		1,450	0	1,450
Natural gas engine driven air compressors		4,000	0	2,000
Army Sustainment Center (Note: Project was titled "Best Practices" in House Report)		2,000	0	2,000

WARFIGHTER ADVANCED TECHNOLOGY

The conferees support the development of environmentally compatible products and services essential for the efficient operation of the military and civilian sectors and recognize the unique factors in tropical and subtropical regions that provide the technological and resource base for these products and services. The conferees agree to provide $6,000,000, as recommended by the Senate, to pursue the applied research, development, and demonstration of biosystems-derived food, fiber, textile, biomedical, industrial and environmentally compatible products and services to meet military and civilian needs under the cooperative management of the U.S. Army Natick Soldier Center and the U.S. Department of Agriculture Sustainable Economic Activity Program.

CRUSADER

The conferees support the Army's continued development of the Crusader advanced field artillery system to address support deficiencies. The conferees have reduced funding for the Crusader program by $75,806,000 due to schedule delays. The conferees do not view the decrement as a lack of support for

the Crusader program and strongly encourage the Army to adequately fund the program in subsequent budget requests.

Lightweight 155 Towed Howitzer Program

The conferees are concerned that the Lightweight 155mm Towed Howitzer program has been suffering from contractor and program deficiencies, which has led to a two-year delay in the program. The program has failed to fully utilize the expertise of Army arsenals in the development and design of the howitzer. Considering the long history of the arsenals in advancing howitzer producibility techniques, it is important that they be actively involved in the program, especially during the crucial EMD/prototype phase to ensure that efficient production techniques are designed at the earliest possible stage of the program. In addition, the arsenals constitute an important resource in providing spare parts and special development items for howitzer forces in time of war and national emergencies.

The conferees direct the Army and the Marine Corps to develop a plan to include Rock Island Arsenal in producibility and manufacturing aspects of howitzer production, including recoil mechanisms and carriages for the Lightweight 155mm Towed Howitzer Program and other Army/Marine Corps future towed artillery programs. The conferees expect the Army and the Marine Corps to issue a report to the Senate and House Appropriations Subcommittees on Defense no later than sixty days after the enactment of this Act outlining the plan.

ANTI-ARMOR WEAPONS MASTERPLAN

Last year, the conferees directed the Secretary of Defense to provide an Anti-Armor Weapons Masterplan with the fiscal year 2000 budget request. The plan, which was delivered five months after the budget submission, did not address the concerns outlined in the statement of the managers. The conferees are disappointed in the plan because it showed no evidence or future prospects of reducing the number of programs being pursued, no evidence of authority or control being exercised by OSD, and little evidence of rigorous critique of claimed requirements. OSD was directed to submit a report ''with the purpose of identifying and eliminating excess capabilities.'' The report does not outline a strategy for the future, but merely justifies the current anti-armor weapons budget.

Therefore the conferees direct the Secretary of Defense to provide an analysis with the fiscal year 2001 budget request that evaluates the joint effectiveness of the existing anti-armor weapons in addressing the threat depicted in the defense planning guidance and how the planned anti-armor weapons are expected to fill shortfalls in current capability in the defense planning guidance scenarios. Based on this analysis, the Secretary should prioritize the Department's anti-armor weapon acquisition programs. The analysis is to be submitted with the fiscal year 2001 budget request.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, NAVY				
AIR AND SURFACE LAUNCHED WEAPONS TECHNOLOGY	37,616	54,616	42,616	51,616
SHIP, SUBMARINE & LOGISTICS TECHNOLOGY	43,786	64,586	48,786	61,786
MARINE CORPS LANDING FORCE TECHNOLOGY	10,534	10,534	15,534	17,534
COMMUNICATIONS, COMMAND AND CONTROL, INTEL, SURVEILLAN	68,823	78,073	77,823	82,823
HUMAN SYSTEMS TECHNOLOGY	30,586	37,086	35,786	30,586
MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	77,957	90,457	92,857	104,107
ELECTRONIC WARFARE TECHNOLOGY	24,659	24,659	37,659	36,159
OCEANOGRAPHIC AND ATMOSPHERIC TECHNOLOGY	60,334	71,084	62,734	73,084
UNDERSEA WARFARE WEAPONRY TECHNOLOGY	34,066	39,066	39,066	41,066
DUAL USE APPLICATIONS PROGRAM	18,390	10,000	18,390	10,000
AIR SYSTEMS AND WEAPONS ADVANCED TECHNOLOGY	42,046	51,046	42,046	49,046
PRECISION STRIKE AND AIR DEFENSE TECHNOLOGY	52,580	82,080	52,580	72,580
SURFACE SHIP & SUBMARINE HM&E ADVANCED TECHNOLOGY	41,515	75,515	57,015	76,515
MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	56,943	62,943	67,943	67,943
MEDICAL DEVELOPMENT	15,064	81,864	19,564	77,064
MANPOWER, PERSONNEL AND TRAINING ADV TECH DEV	20,632	39,632	25,132	40,132
ENVIRONMENTAL QUALITY AND LOGISTICS ADVANCED TECH	23,809	28,809	26,809	29,809
NAVY TECHNICAL INFORMATION PRESENTATION SYSTEM	41,840	19,940	---	41,840
UNDERSEA WARFARE ADVANCED TECHNOLOGY	57,956	57,956	60,456	59,956
MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	48,711	48,711	57,711	57,711
ADVANCED TECHNOLOGY TRANSITION	75,635	96,535	109,635	110,535
C3 ADVANCED TECHNOLOGY	23,808	39,808	33,808	41,808
C2W REPLACEMENT FOR EA-6B	---	16,000	---	---
SOFTWARE DEVELOPMENT AND MANAGEMENT	---	2,000	---	1,000

(In thousands of dollars)

	Budget	House	Senate	Conference
AVIATION SURVIVABILITY	7,280	16,280	7,280	14,280
ASW SYSTEMS DEVELOPMENT	17,780	23,780	17,780	21,780
SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	82,465	94,465	100,465	107,465
ADVANCED SUBMARINE COMBAT SYSTEMS DEVELOPMENT	---	10,000	---	5,000
SURFACE SHIP TORPEDO DEFENSE	640	5,640	640	4,640
SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	108,334	114,484	110,334	113,334
PILOT FISH	94,085	94,085	96,585	96,585
ADVANCED SUBMARINE SYSTEM DEVELOPMENT	115,767	124,267	118,067	121,067
SHIP CONCEPT ADVANCED DESIGN	5,318	29,818	20,318	28,818
ADVANCED SURFACE MACHINERY SYSTEMS	17,727	22,727	20,227	26,727
COMBAT SYSTEM INTEGRATION	46,740	79,740	51,740	78,740
CONVENTIONAL MUNITIONS	34,309	43,309	34,309	39,309
MARINE CORPS ASSAULT VEHICLES	94,843	112,843	121,243	114,843
MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	42,654	45,654	42,654	46,654
COOPERATIVE ENGAGEMENT	114,931	190,931	129,931	190,931
ENVIRONMENTAL PROTECTION	70,793	84,793	74,793	82,793
NAVY ENERGY PROGRAM	4,984	7,984	4,984	6,984
NAVY LOGISTIC PRODUCTIVITY	---	27,500	---	18,000
SHIP SELF DEFENSE - DEM/VAL	5,654	10,654	5,654	8,654
LAND ATTACK TECHNOLOGY	101,489	111,489	117,789	117,489
NONLETHAL WEAPONS - DEM/VAL	23,277	23,277	26,277	26,277
SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	35,170	37,170	39,170	38,170
OTHER HELO DEVELOPMENT	48,776	80,776	64,776	75,776
STANDARDS DEVELOPMENT	74,325	78,825	74,325	77,325
S-3 WEAPON SYSTEM IMPROVEMENT	2,095	7,095	2,095	5,095

(In thousands of dollars)

	Budget	House	Senate	Conference
P-3 MODERNIZATION PROGRAM	3,010	18,010	3,010	11,010
TACTICAL COMMAND SYSTEM	41,599	45,599	41,599	44,599
H-1 UPGRADES	157,683	157,683	184,283	184,283
AIR CREW SYSTEMS DEVELOPMENT	6,801	14,301	10,301	14,301
EW DEVELOPMENT	163,077	237,577	163,077	209,077
SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	204,480	244,480	229,480	257,980
AIRBORNE MCM	50,642	50,642	52,642	52,642
SSN-688 AND TRIDENT MODERNIZATION	48,896	76,896	48,896	76,896
AIR CONTROL	8,696	8,696	15,696	13,696
ENHANCED MODULAR SIGNAL PROCESSOR	970	970	11,970	970
SUBMARINE COMBAT SYSTEM	6,546	9,546	6,546	9,546
SWATH (SMALL WATERPLANE AREA TWIN HULL) OCEANOGRAPHIC SHIP	---	---	9,000	9,000
NEW DESIGN SSN	241,456	251,456	251,456	249,456
SHIP CONTRACT DESIGN/ LIVE FIRE T&E	61,135	61,135	63,135	61,135
NAVY TACTICAL COMPUTER RESOURCES	3,300	58,300	3,300	58,300
JOINT STANDOFF WEAPON SYSTEMS	30,567	15,000	30,567	30,567
SHIP SELF DEFENSE - EMD	96,580	111,580	115,980	130,480
MEDICAL DEVELOPMENT	4,285	10,285	4,285	15,485
DISTRIBUTED SURVEILLANCE SYSTEM	14,910	38,910	36,910	36,910
COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	18,729	16,500	18,729	21,729
MAJOR T&E INVESTMENT	42,621	49,621	47,621	46,621
STUDIES AND ANALYSIS SUPPORT - NAVY	8,531	6,031	8,531	6,031
TEST AND EVALUATION SUPPORT	270,992	270,992	261,992	261,992
MARINE CORPS PROGRAM WIDE SUPPORT	8,198	28,398	18,198	28,398
STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	45,907	60,407	45,907	59,907

(In thousands of dollars)

	Budget	House	Senate	Conference
F/A-18 SQUADRONS	315,714	373,214	320,714	322,714
E-2 SQUADRONS	16,132	55,132	16,132	36,532
TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	147,223	142,223	147,223	142,223
HARM IMPROVEMENT	23,642	43,642	23,642	38,642
SURFACE ASW COMBAT SYSTEM INTEGRATION	16,633	16,633	24,633	23,633
AVIATION IMPROVEMENTS	53,293	63,293	53,293	53,293
NAVY SCIENCE ASSISTANCE PROGRAM	---	---	13,000	13,000
MARINE CORPS COMMUNICATIONS SYSTEMS	90,293	94,293	90,293	92,293
MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	39,941	36,741	32,741	35,741
TACTICAL UNMANNED AERIAL VEHICLES	69,742	77,242	69,742	75,742
AIRBORNE RECONNAISSANCE SYSTEMS	4,958	18,958	8,958	18,958
MANNED RECONNAISSANCE SYSTEMS	30,958	39,958	30,958	39,958
NAVAL SPACE SURVEILLANCE	712	2,712	712	1,712
MODELING AND SIMULATION SUPPORT	9,621	9,621	12,621	12,121
INDUSTRIAL PREPAREDNESS	59,104	74,104	69,104	71,604
MARITIME TECHNOLOGY (MARITECH)	19,681	24,681	19,681	21,681
CLASSIFIED PROGRAMS	516,472	523,472	518,972	536,972

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
AIR AND SURFACE LAUNCHED WEAPONS TECHNOLOGY	37,616	54,616	42,616	51,616
Free electron laser		3,000	0	0
Phased array weather radar		10,000	0	10,000
Pulse detonation engine technology		4,000	5,000	4,000
SHIP, SUBMARINE & LOGISTICS TECHNOLOGY	43,786	64,586	48,786	61,786
Stainless steel double hull		5,000	5,000	5,000
Modernization through remanufacturing and conversion		2,000	0	0
Curved plate double hull technology		8,000	0	8,000
Bioenvironmental hazards		1,800	0	1,000
Three dimensional printing metalworking technology at Puget Sound		4,000	0	4,000
MARINE CORPS LANDING FORCE TECHNOLOGY	10,534	10,534	15,534	17,534
Non-traditional military operations		0	5,000	4,000
Polymer case ammunition		0	(3,000)	3,000
COMMUNICATIONS, COMMAND AND CONTROL, INTEL, SURVEILLANCE	68,823	78,073	77,823	82,823
Hybrid fiberoptic wireless communication technology		2,450	0	1,000
Optically multiplexed wideband radar beamformer		4,700	0	4,000
Hyperspectal research		0	4,000	3,000
UESA signal processing support		0	5,000	5,000
Optoelectric high definition camera		2,000	0	1,000
HUMAN SYSTEMS TECHNOLOGY	30,586	37,086	35,786	36,586
Coastal cancer control (MUSC)		0	5,000	0
Retinal pigment laser damage		0	200	0
Biological hazard detection system		6,450	0	6,000
MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	77,957	90,457	92,857	104,107
Heatshield research		0	2,000	2,000
Silicon carbide semiconductor substrates		3,000	2,000	2,000
Ultra-high thermal conductivity fibers/thermal management materials		2,450	2,000	2,000
Photomagnetic material research		0	600	600
Innovative communications materials		0	2,250	2,000
Advanced material processing center		0	5,000	5,000
ADPICAS		0	1,150	1,150
Materials micronization techology		0	0	2,450
Engineered wood composite lumber		5,000	0	5,000
Smart wiring technology		2,000	0	1,000
Advanced Composite Materials Processing		0	(3,000)	3,000
ELECTRONIC WARFARE TECHNOLOGY	24,659	24,659	37,659	36,159
Free electron laser		0	10,000	10,000
Superconducting waveform generator		0	3,000	1,450
OCEANOGRAPHIC AND ATMOSPHERIC TECHNOLOGY	60,334	71,084	62,734	73,084
Distributed marine environmental forecast system		0	2,400	2,000
Autonomous UUV		10,000	0	10,000
Completion of PM–10 air quality study		750	0	750
UNDERSEA WAFARE WEAPONRY TECHNOLOGY	34,066	39,066	39,066	41,066
Microelectromechanical systems		2,000	0	1,000
Computational engineering design		0	3,450	3,450
SAUVIM		0	1,450	1,450
6.25′ multimission weapon		3,000	0	1,000
AIR SYSTEMS AND WEAPONS ADVANCED TECHNOLOGY	42,046	51,046	42,046	49,046
Aircraft affordability project (DP–2)		5,000	0	4,000
Note: Conferees direct that within these funds, the necessary model unmanned testing, and evaluation must be conducted to ensure the aircraft is safe for vertical takeoff and transition to normal flight before proceeding to full scale or manned aircraft tests.				
RAMJET propulsion NAWC China Lake		4,000	0	3,000
PRECISION STRIKE AND AIR DEFENSE TECHNOLOGY	52,580	82,080	52,580	72,580
Small combatant craft		18,000	0	12,000
Note: Funds are only for the purchase, test, and evaluation of one high-speed, variable freeboard, low radar signature craft and one high effective operational speed craft, to be used as test beds for integrated low signature technologies to support development of littoral warfare tactics.				
Extending the littoral battlespace		7,450	0	6,000
Hybrid LIDAR/RADAR technology		4,000	0	2,000
SURFACE SHIP AND SUBMARINE HM&E ADVANCED TECHNOLOGY	41,515	75,515	57,015	76,515
Power node control centers		3,000	3,000	3,000
Project M		5,000	0	5,000
Virtual test bed for advanced electrical ship systems		3,000	5,000	5,000
Composite helicopter hanger		0	5,000	5,000
Reconfigurable ship simulation		0	2,450	2,000
Electromagnetic propulsion systems		3,000	(3,000)	3,000
High temperature superconducting AC synchronous motor		5,000	0	2,000
Permanent magnet motor		5,000	0	5,000
Note: $5,000,000 is only to finish development of two competing preliminary motor designs, which are to be available no later than the end of fiscal year 2000 so that the technology could be utilized in the DD–21 program and other Naval platforms.				
Superconducting DC motor		10,000	0	5,000
MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	56,943	62,943	67,943	67,943
Advanced lightweight grenade launcher		3,000	1,000	2,000
BURRO		3,000	5,000	4,000
Project Albert		0	4,000	4,000
Vehicle technology demonstration		0	1,000	1,000
Chemical biological incident response force				(2,000)
MEDICAL DEVELOPMENT (ADVANCED)	15,064	81,864	19,564	77,064
Military dental research		6,000	3,000	3,000
Prostate cancer immunotherapy		0	1,450	1,450
Bone marrow		34,000	0	34,000
Improved bone marrow transplantation		2,000	0	2,000
Note: Funds are only for the unrelated donor marrow transplantation clinical trials of graft engineering.				
Teleradiology		3,000	0	3,000
Disaster management		3,000	0	3,000
Medical readiness telemedicine initiative		9,000	0	9,000
Rural health		3,000	0	3,000
Naval blood research lab		5,000	0	2,450
National biodyanmics research		1,800	0	1,000
MANPOWER, PERSONNEL AND TRAINING ADV TECH DEV	20,632	39,632	25,132	40,132
Integrated manufacturing studies		0	3,000	0
Remanufacturing and resource recovery		3,000	0	2,000
T–STAR		0	1,450	1,450
Advanced distributed learning		10,000	0	10,000
Distributed simulation, warfighting concepts		6,000	0	6,000
ENVIRONMENTAL QUALITY AND LOGISTICS ADVANCED TECH	23,809	28,809	26,809	29,809
Visualization of technical information		0	3,000	3,000
Aviation depot maintenance technology demonstrations at NADEP Jacksonville		3,000	0	2,000
Allegheny Ballistics Laboratory		2,000	0	1,000
NAVY TECHNICAL INFORMATION PRESENTATION SYSTEM	41,840	19,940	0	41,840
Joint warfighting experimentation program		−21,900		
Note: Up to $520,000 is only to establish the Center for Defense Technology and Education for the military services at the Naval Postgraduate School to focus on the impact of emerging technologies on joint warfare.				
ADVANCED TECHNOLOGY TRANSITION	75,635	96,535	109,635	110,535
Littoral warfare fast patrol craft		5,000	0	5,000
Low observable stack		0	10,000	8,000
Vectored thrust ducted propeller		5,900	6,000	5,900

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget	House	Senate	Conference
Note: Funds are only to collect flight test data including speed, range, and reduced vibrations and fatigue loads of an H–60 modified with VTDP, lifting wing, and supplementary power system for multimission effectiveness and life cycle cost analysis of conceptual operational designs of VTDP compound variants of the CH–60S and SH–60R.				
Advanced trailer research		0	6,000	6,000
Advanced hull form in-shore demonstrator		0	12,000	10,000
Advanced sub carrier modulation/magnetic resonance		10,000	0	0
C3 ADVANCED TECHNOLOGY	23,808	39,808	33,808	41,808
National technology alliance		5,000	10,000	10,000
Dominant battlespace command initiative		6,000	0	6,000
SPAWAR/NATAC program		5,000	0	2,000
C2W REPLACEMENT FOR EA–6B	0	16,000	0	0
ANALYSIS OF ALTERNATIVES		16,000	0	0
NOTE: Funded in RDT&E, Defensewide				
AVIATION SURVIVABILITY	7,280	16,280	7,280	14,280
Smart aircrew integrated life support system		3,000	0	2,000
Dynamic flow ejection seat facility improvements		3,000	0	3,000
Lightweight environmentally sealed parachute assembly sealing		1,450	0	1,000
Pilot vehicle interface center upgrades		1,450	0	1,000
SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	82,465	94,465	100,465	107,465
Integrated combat weapons system for MCM ships		0	18,000	15,000
Remote minehunting system		12,000	0	10,000
ADVANCED SUBMARINE COMBAT SYSTEMS DEVELOPMENT	0	10,000	0	5,000
conformal array velocity sensor		6,800	0	3,000
Common towed array program		3,200	0	2,000
SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	108,334	114,484	110,334	113,334
Man overboard indicator		3,150	0	3,000
Ship survivability and personnel protection		2,000	0	1,000
Advanced waterjet technology		1,000	2,000	1,000
ADVANCED SUBMARINE SYSTEM DEVELOPMENT	115,767	124,267	118,067	121,067
Affordable advanced acoustic arrays		5,000	0	3,000
Enhanced performance motor bush		3,450	2,300	2,300
SHIP CONCEPT ADVANCED DESIGN	5,318	29,818	20,318	28,818
Smart propulsor model		1,450	0	1,450
Standard for exchange of product model data		0	2,000	2,000
Trident SSGN design		13,000	13,000	10,000
Automated maintenance environment		10,000	0	10,000
ADVANCED SURFACE MACHINERY SYSTEMS	17,727	22,727	20,227	26,727
Naval ship survivability		0	2,450	2,000
Intercooled gas turbine recuperator		5,000	0	7,000
COMBAT SYSTEM INTEGRATION	46,740	79,740	51,740	78,740
Common command and decision system		30,000	5,000	30,000
NAVSEA methodology for fleet legacy systems		3,000	0	2,000
CONVENTIONAL MUNITIONS	34,309	43,309	34,309	39,309
Environmentally safe energetic materials		2,000	0	1,000
Optical correlation technology for automatic target recognition		7,000	0	4,000
MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	42,654	45,654	42,654	46,654
Lightweight 155 howitzer		3,000	0	1,000
SMAW–CS system level qualification test and evaluation		3,000	0	3,000
COOPERATIVE ENGAGEMENT	114,931	190,931	129,931	190,931
CEC space		0	15,000	0
Low cost data distribution system/cooperative engagement processor		15,000	0	15,000
CEC network capacity expansion		12,700	0	12,700
System protection/TBMD integration/advanced architecture		10,000	0	10,000
Low cost planar array		5,000	0	5,000
Forward pass/remote launch		5,000	0	5,000
Modeling and simulation		7,450	0	7,450
One additional land based unit to evaluate CEC/Patriot		6,800	0	6,800
Airborne antenna improvement		4,000	0	4,000
Area air defense commander risk reduction		10,000	0	10,000
ENVIRONMENTAL PROTECTION	70,793	84,793	74,793	82,793
Asbestos conversion pilot program		4,000	4,000	4,000
Resource preservation initiative at Puget Sound Naval Shipyard		10,000	0	8,000
NAVY LOGISTICS PRODUCTIVITY	0	27,450	0	18,000
Virtual system implementation program		10,000	0	7,000
Rapid retargeting of electronic circuits		10,000	0	7,000
Compatible processor upgrade program		7,450	0	4,000
LAND ATTACK TECHNOLOGY	101,489	111,489	117,789	117,489
ERGM guidance system cost reduction		10,000	10,000	10,000
Projectile common guidance and control		3,000	0	0
Proximity fuze for DPICM submunitions		2,000	0	0
Continuous processor, NSWC Indian Head		5,000	6,300	6,000
Land attack standard missile, program delays		−10,000	0	0
OTHER HELO DEVELOPMENT	48,776	80,776	64,776	75,776
Parametric airborne dipping sonar		0	15,000	15,000
Sentient sensors		0	1,000	1,000
SH–60 third test asset		19,000	0	0
Development, construction, and system integration of a CH–60 AMCM engineering development model		10,000	0	10,000
Ship-air mission system integration		3,000	0	1,000
TACTICAL COMMAND SYSTEM	41,599	45,599	41,599	44,599
GCCS–M		4,000	0	3,000
NOTE: Funds are only for improving search functionality in data bases (OSIS)				
AIR CREW SYSTEMS DEVELOPMENT	6,801	14,301	10,301	14,301
Front line ejection equipment testing		4,000	0	4,000
Ejection seat stability, enhancements in fins, booms, trailing after-bodies, drogue parachutes, and pintal propulsion systems		3,450	3,450	3,450
EW DEVELOPMENT	163,077	237,577	163,077	209,077
Location of GPS system jammers		4,450	0	4,000
EA–6B connectivity (link 16)		60,000	0	30,000
Integrated defensive integrated electronic countermeasures		10,000	0	7,000
ICAP III spray cooling technology				5,000
SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	204,480	244,480	229,480	257,980
Cruiser conversion, flight I ships		7,450	0	5,000
Interoperability		0	25,000	25,000
interoperability/tactical display services		25,000	0	25,000
Advanced food service technology		7,450	0	3,000
Transfer to ship self-defense				−4,450
SSN–688 AND TRIDENT MODERNIZATION	48,896	76,896	48,896	76,896
Multipurpose processors and middleware software		25,000	0	25,000
BQ–5 wide aperture array		3,000	0	3,000
NAVY TACTICAL COMPUTER RESOURCES	3,300	58,300	3,300	58,300
Submarine communications/computer infrastructure		20,000	0	20,000
Computer aided dead reckoning tracer		5,000	0	5,000
UYQ–70 improvements/technology refreshment		25,000	0	25,000
Advanced digital logistics integrated data capture and analysis		5,000	0	5,000
SHIP SELF DEFENSE—EMD	96,580	111,580	115,980	130,480
Nulka anti-ship missile decoy		0	4,400	4,400
Volume search radar		0	15,000	12,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget	House	Senate	Conference
AIEWS for DDG–91 and LPD–22		12,000	0	10,000
AIEWS middleware/multi-purpose processors		3,000	0	3,000
Transfer from surface combatant combat system engineering (CVN–68 ship self-defense		0	0	4,450
MEDICAL DEVELOPMENT (ENGINEERING)	4,285	10,285	4,285	15,485
Voice interactive device		6,000	0	6,000
Coastal cancer control (MUSC)		0	0	5,000
Retinal pigment laser damage		0	0	200
DISTRIBUTED SURVEILLANCE SYSTEM	14,910	38,910	36,910	36,910
Advanced deployable system improved detection/tracking algorithms		19,000	0	0
Advanced deployable system IOC acceleration		0	22,000	22,000
Note: Within this amount, $5,000,000 is only for web centric warfare,				
Web centric warfare		5,000	0	0
COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	18,729	16,450	18,729	21,729
Program reduction		−2,229	0	0
MTTC/IPI		0	0	3,000
Note: Funded in industrial preparedness in the Senate bill.				
MAJOR T&E INVESTMENT	42,621	49,621	47,621	46,621
NAWC, PAX range tracking system upgrades		3,500	0	2,000
Advanced virtual environment		3,500	0	2,000
MARINE CORPS PROGRAM WIDE SUPPORT	8,198	28,398	18,198	28,398
Acquifer vulnerability/contamination assessment		1,450	0	1,450
Chemical biological individual sampler		4,800	4,800	4,800
Small unit biological detector		4,100	4,000	4,100
Consequence management information system/chem-bio integrated information system		4,800	1,200	4,800
Probable cause detection system		3,000	0	3,000
Human Effects Advisory Panel		2,000	0	2,000
STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	45,907	60,407	45,907	59,907
Models for radiation hardened electronics/upgrade integrated circuit fabrication facility at SPAWAR Systems Center		14,450	0	14,000
F/A–18 SQUADRONS	315,714	373,214	320,714	322,714
LAU–138A/A BOL chaff countermeasures		2,450	0	2,000
Joint helmet mounted cueing system		0	5,000	0
EA–6B follow-on support jammer, F/A–18E/F variant		40,000	0	0
Radar ECCM improvements		15,000	0	5,000
E–2 SQUADRONS	16,132	55,132	16,132	36,532
Radar/computer modernization program		15,000	0	12,000
Advanced support aircraft (follow-on to E–2/C–2)		9,000	0	3,000
Satellite communications		15,000		0
UHF electronically scanned antenna		0	0	5,400
NAVY SCIENCE ASSISTANCE PROGRAM		0	13,000	13,000
LASH		0	12,000	12,000
Airship/LASH study for range enhancements		0	1,000	1,000
MARINE CORPS GROUNDS COMBAT/SUPPORTING ARMS SYSTEMS	39,941	36,741	32,741	35,741
Improved recovery vehicle		−7,200	−7,200	−7,200
Shortstop		4,000	0	3,000
TACTICAL UNMANNED AERIAL VEHICLES	69,742	77,242	69,742	75,742
Multifunction self-aligned gate		4,450	0	3,000
Tactical control system—UAV		3,000	0	3,000
System integration lab		4,450	0	0
Tactical control system—program office		−4,450	0	0
AIRBORNE RECONNAISSANCE SYSTEMS	4,958	18,958	8,958	18,958
EO framing technologies		10,000	0	10,000
Hyperspectral modular airborne reconnisance system		4,000	4,000	4,000
MANNED RECONNAISSANCE SYSTEMS	30,857	39,958	30,958	39,958
SHARP		9,000	0	9,000
Note: Funds are only for the auquisition and testing of a lightweight SAR and for other related program requirements such a software integration for the F/A–18C/D.				

ATLANTIC COMMAND EXPERIMENTATION

The conferees agree to restrictions recommended by the House concerning use of fiscal year 1999 and 2000 funds which should be noted on the Base for Reprogramming (DD Form 1414) for fiscal year 2000. The conferees recognize, however, that the Atlantic Command will work in areas such as the Single Integrated Air Picture, which facilitate improved attack of critical mobile targets. Funds provided in this Act for Atlantic Command Experimentation are only for an integrated program which addresses the short, mid, and long terms and may not be used on a program which fails to consider short and near term war fighting improvements. The conferees do not agree to House language requiring quarterly reports to the defense congressional committees, but direct instead that the Secretary of Defense provide semi-annual reports for the next two years.

SURFACE EFFECTS SHIP

The conferees urge the Department of the Navy to procure a 110 foot surface effects ship if needed to fulfill a fast patrol craft requirement.

MARITIME TECHNOLOGY

In the fiscal year 1999 DoD Appropriations Conference Report, the conferees directed the Secretary of the Navy to provide funds to the Maritime Administration to complete testing of the potential interim solution to remediate potential damage resulting from oil spills from existing tank vessels. Based on additional information, the conferees have determined that the Maritime Administration is not the appropriate organization to execute this effort. Therefore, the conferees direct the fiscal year 1999 RDT&E funds be redirected to the office of Naval Reserve for program execution.

COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE (COSSI)

The conferees have provided $3,000,000 for MTTC/IPI in COSSI. The conferees fully expect MTTC/IPI to abide by program cost-sharing requirements in the future consistent with OSD requirements. However, for the initial award, the intent is for the requirement for cost sharing to be waived.

SOFTWARE PROGRAM MANAGERS NETWORK

The conferees continue to support service programs and related activities provided by the Software Program Managers Network (SPMN). The conferees direct the Department to continue this program at last year's level of effort and, in addition, the conferees provide $1,000,000 to develop pilot projects to attract, train and retain skilled software personnel.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, AF				
DEFENSE RESEARCH SCIENCES	209,505	216,505	209,505	216,305
MATERIALS	63,334	74,234	84,161	78,811
AEROSPACE FLIGHT DYNAMICS	43,898	49,298	41,398	45,718
HUMAN EFFECTIVENESS APPLIED RESEARCH	51,512	72,412	62,612	71,012
AEROSPACE PROPULSION	62,012	77,212	78,787	77,712
AEROSPACE SENSORS	64,988	75,688	58,131	64,331
HYPERSONIC TECHNOLOGY PROGRAM	---	16,600	16,000	16,000
PHILLIPS LAB EXPLORATORY DEVELOPMENT	115,313	147,813	128,318	147,118
CONVENTIONAL MUNITIONS	42,205	42,205	38,205	38,205
COMMAND CONTROL AND COMMUNICATIONS	46,448	47,548	54,248	52,148
DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	17,927	10,000	12,927	10,000
ADVANCED MATERIALS FOR WEAPON SYSTEMS	25,890	31,890	30,390	34,390
AEROSPACE PROPULSION SUBSYSTEMS INTEGRATION	29,825	8,925	29,825	19,825
ADVANCED AEROSPACE SENSORS	29,405	47,805	24,805	38,405
FLIGHT VEHICLE TECHNOLOGY	5,992	11,992	5,992	5,992
AEROSPACE STRUCTURES	13,749	13,749	17,749	16,749
AEROSPACE PROPULSION AND POWER TECHNOLOGY	38,778	39,378	39,028	39,178
PERSONNEL, TRAINING AND SIMULATION TECHNOLOGY	4,827	7,027	6,627	6,327
CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	14,841	34,341	22,841	31,341
ELECTRONIC COMBAT TECHNOLOGY	27,334	34,434	27,334	32,334
SPACE AND MISSILE ROCKET PROPULSION	11,231	26,531	11,231	16,731
BALLISTIC MISSILE TECHNOLOGY	---	23,000	10,000	23,000
ADVANCED SPACECRAFT TECHNOLOGY	76,229	67,259	118,129	103,529
SPACE SYSTEMS ENVIRONMENTAL INTERACTIONS TECHNOLOGY	3,677	4,177	3,677	4,077

(In thousands of dollars)

	Budget	House	Senate	Conference
CONVENTIONAL WEAPONS TECHNOLOGY	21,479	23,033	21,479	21,033
ADVANCED WEAPONS TECHNOLOGY	38,995	56,495	44,695	57,495
ENVIRONMENTAL ENGINEERING TECHNOLOGY	---	3,000	5,000	5,500
C3I SUBSYSTEM INTEGRATION	9,122	7,922	9,122	7,922
ADVANCED COMPUTING TECHNOLOGY	4,507	4,507	4,507	---
SPACE-BASED LASER	63,840	35,000	63,840	63,840
NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATE	80,137	40,137	80,137	60,137
SPACE CONTROL TECHNOLOGY	9,822	9,822	14,822	12,822
SPACE BASED INFRARED ARCHITECTURE (SPACE) - DEM/VAL	151,378	---	151,378	---
JOINT STRIKE FIGHTER	235,374	335,374	250,374	250,374
INTERCONTINENTAL BALLISTIC MISSILE - DEM/VAL	28,628	28,628	47,828	47,828
C-130	---	43,600	---	40,600
WIDEBAND MILSATCOM (SPACE)	53,344	44,344	53,344	50,344
AIR FORCE/NRO PARTNERSHIP (AFNP)	2,905	---	2,905	---
SPACE-BASED LASER	---	---	10,000	10,000
B-1B	203,544	183,544	163,544	178,544
SPECIALIZED UNDERGRADUATE PILOT TRAINING	38,656	41,156	38,656	41,156
B-2 ADVANCED TECHNOLOGY BOMBER	201,765	344,165	238,765	301,765
EW DEVELOPMENT	90,347	89,047	100,347	86,847
SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	328,653	328,653	420,653	420,653
SPACE BASED INFRARED SYSTEM (SBIRS) LOW EMD	77,651	229,029	127,651	229,029
MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE)	361,308	214,308	361,308	362,808
ARMAMENT/ORDNANCE DEVELOPMENT	8,887	27,887	8,887	23,887
SUBMUNITIONS	4,798	10,798	9,298	7,798
AGILE COMBAT SUPPORT	946	---	946	---

(In thousands of dollars)

	Budget	House	Senate	Conference
JOINT DIRECT ATTACK MUNITION	1,385	20,385	1,385	6,385
LIFE SUPPORT SYSTEMS	6,135	9,135	8,635	11,635
COMBAT TRAINING RANGES	6,220	17,820	6,220	12,020
COMPUTER RESOURCE TECHNOLOGY TRANSITION (CRTT)	196	6,396	2,996	6,096
JOINT INTEROPERABILITY OF TACTICAL COMMAND & CONTROL	5,837	2,837	5,837	5,837
COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	30,485	15,937	30,485	20,485
EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	324,803	322,803	324,803	322,803
TARGET SYSTEMS DEVELOPMENT	192	---	192	---
MAJOR T&E INVESTMENT	47,334	69,534	53,334	57,934
INITIAL OPERATIONAL TEST & EVALUATION	23,819	30,569	23,819	27,219
TEST AND EVALUATION SUPPORT	392,104	400,104	365,504	382,104
SPACE TEST PROGRAM (STP)	51,658	51,658	61,658	51,658
INFORMATION OPERATIONS TECHNOLOGY	491	---	491	---
B-52 SQUADRONS	32,139	47,539	47,539	40,139
ADVANCED CRUISE MISSILE	688	---	688	---
AIR AND SPACE COMMAND AND CONTROL AGENCY (ASC2A)	2,946	---	2,946	---
F-16 SQUADRONS	112,520	127,520	118,520	115,520
F-15E SQUADRONS	112,670	152,670	112,670	127,670
MANNED DESTRUCTIVE SUPPRESSION	5,402	3,402	5,402	3,402
F-117A SQUADRONS	4,807	4,807	24,807	11,807
TACTICAL AIM MISSILES	41,007	41,007	36,007	41,007
ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	49,783	52,783	49,783	52,783
AF TENCAP	10,102	---	10,102	13,102
SPECIAL EVALUATION PROGRAM	85,168	95,168	81,268	85,168
AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	160,212	175,212	160,212	160,212

(In thousands of dollars)

	Budget	House	Senate	Conference
AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).....	33,393	36,393	33,393	36,393
ADVANCED COMMUNICATIONS SYSTEMS.....	2,864	---	2,864	---
ADVANCED PROGRAM TECHNOLOGY.....	54,046	64,046	54,046	63,546
THEATER BATTLE MANAGEMENT (TBM) C4I.....	43,727	43,727	48,727	46,727
JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM.....	130,488	161,988	130,488	148,488
ADVANCED PROGRAM EVALUATION.....	248,342	259,842	266,342	260,342
USAF MODELING AND SIMULATION.....	19,299	23,799	19,299	21,249
WARGAMING AND SIMULATION CENTERS.....	5,192	26,692	5,192	19,192
MISSION PLANNING SYSTEMS.....	16,764	20,764	16,764	18,264
WAR RESERVE MATERIEL - EQUIPMENT/SECONDARY ITEMS.....	1,467	---	1,467	1,467
SPECIAL EVALUATION SYSTEM.....	61,198	68,298	61,198	61,198
DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SPACE).....	8,985	3,985	6,485	5,485
INFORMATION SYSTEMS SECURITY PROGRAM.....	7,992	12,492	17,992	19,492
AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM.....	5,588	5,588	5,588	7,344
MEDIUM LAUNCH VEHICLES (SPACE).....	1,179	---	1,179	---
SECURITY AND INVESTIGATIVE ACTIVITIES.....	466	1,466	466	1,466
NATIONAL AIRSPACE SYSTEM (NAS) PLAN.....	1,756	---	1,756	---
TACTICAL TERMINAL.....	239	---	239	---
NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL).	98,890	98,890	98,890	108,890
SPACELIFT RANGE SYSTEM (SPACE).....	43,186	60,986	43,186	51,686
ENDURANCE UNMANNED AERIAL VEHICLES.....	70,835	89,800	57,600	79,800
AIRBORNE RECONNAISSANCE SYSTEMS.....	124,608	144,008	134,608	139,608
MANNED RECONNAISSANCE SYSTEMS.....	9,388	12,488	21,888	20,388
DISTRIBUTED COMMON GROUND SYSTEMS.....	12,820	33,820	12,820	24,820
NCMC - TW/AA SYSTEM.....	16,408	4,524	16,408	13,408

(In thousands of dollars)

	Budget	House	Senate	Conference
SPACE ARCHITECT	9,898	---	9,898	---
AF/NATIONAL PROGRAM COOPERATION (TENCAP)	---	23,500	---	10,882
MODELING AND SIMULATION SUPPORT	1,069	---	1,069	---
C-5 AIRLIFT SQUADRONS	63,041	60,041	44,172	60,041
KC-10	---	23,609	---	23,609
C-17 AIRCRAFT	170,718	149,918	170,718	160,918
AIR CARGO MATERIAL HANDLING (463-L) (NON-IF)	502	---	502	502
DEPOT MAINTENANCE (NON-IF)	1,500	5,000	1,500	4,800
INDUSTRIAL PREPAREDNESS	51,814	51,814	53,144	52,314
PRODUCTIVITY, RELIABILITY, AVAILABILITY, MAINTAIN	9,382	9,382	23,382	22,382
JOINT LOGISTICS PROGRAM - AMMUNITION STANDARD SYSTEM	11,333	13,268	11,333	11,333
SUPPORT SYSTEMS DEVELOPMENT	22,383	37,383	31,383	33,383
COBRA BALL (FLD)	---	---	4,000	4,000
CLASSIFIED PROGRAMS	4,360,261	4,392,111	4,341,361	4,274,661

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

Program	Budget	House	Senate	Conference
DEFENSE RESEARCH SCIENCES	209,505	216,505	209,505	216,305
National Solar Observatory		(600)	(650)	(600)
Astronomical active optics		4,000		3,800
Coal based advanced thermally stable jet fuels		3,000		3,000
MATERIALS	63,334	74,234	84,161	78,811
Deferral of New Material and Processes for Radar and Space Sensor Systems			−3,773	−3,773
Structural Monitoring of Aging Aircraft			1,450	1,000
Friction stir welding		2,000	2,000	2,000
Thermal management for space structures		2,450	2,450	2,450
Titanium Matrix Composites			2,200	1,800
Materials—High Temperature Ceramic Fibers			2,400	1,000
Resin Systems for AF Engine Applications			2,000	1,000
Metals Affordability Initiative Consortium			9,000	5,000
Electrochemical fatigue sensor development and field use test			3,000	2,400
Carbon foam development for aircraft and spacecraft		1,450		750
Materials and processes for metal cleaning, corrosion control, and coatings		1,000		800
High Temperature materials		1,900		600
Advanced composite materials and processing technology transfer (NCC)		2,000		600
AEROSPACE FLIGHT DYNAMICS	43,898	49,298	41,398	45,718
Deferral of Component Test of a Powered Lift System for a Transport Aircraft			−2,450	−2,450
Autonomous control technology		2,100		1,680
Extreme environment structures		1,200		960
Virtual development and demonstration environment		2,100		1,680
HUMAN EFFECTIVENESS APPLIED RESEARCH	51,512	72,412	62,612	71,012
Solid electrolyte oxygen separator		3,000	6,000	3,000
Behavioral Science Research under Air Force Research Lab			5,100	3,600
Environmental quality technology, Tyndall AFB		4,000		2,000
Materials and processes for metal cleaning, corrosion control, and coatings		1,000		800
Sustained operations		2,450		2,000
Oxygen research (ATD)		2,100		1,700
Spatial disorientation		900		700
Altitude protection		600		600
Physiology		1,450		1,200
Information training		3,200		2,400
Space training		2,100		1,700
AEROSPACE PROPULSION	62,012	77,212	78,787	77,712
High Thermal Stability Fuel Technology			1,000	600
KC–135 Variable Displacement Vane Pump			4,000	2,000
High Power, Advanced low mass systems prototype			6,000	2,000
More electric aircraft program			3,000	1,800
Thermophotovoltaic (TPV)			2,000	800
ISSES/AFRL			775	600
Magnetic bearing cooling turbine technology		8,450		4,000
Aircraft and weapon power		3,400		2,000
Fuels, lubes, combustion		3,300		2,000
AEROSPACE SENSORS	64,988	75,688	58,131	64,331
Deferral of Radio Frequency Power Amplifiers for Space-Based Sensors			−2,437	−2,437
Deferral of Automatic Target Recognition for Air and Space Vehicles			−2,281	−2,281
Deferral of Feasibility of a Space-Based Radar Array			−2,139	−2,139
Connectivity and collaboration infrastructure among modeling, simulation, and computer resources		6,000		3,000
Space protection		2,200		1,400
Automatic target recognition		2,450		1,800
PHILLIPS LAB EXPLORATORY DEVELOPMENT	115,313	147,613	128,318	147,118
IHPRPT		5,300		2,800
Hyperspectral imaging technology		6,400		4,450
Deferral of payload systems for space based radar			−2,395	−2,395
Reduced growth in ground and small satellite integration technologies			−3,450	−3,450
HAARP			10,000	10,000
Radio Frequency Applications Development			5,000	2,450
Tropo-weather		2,450	2,450	2,450
Space survivability		600	600	600
HIS Spectral Sensing			800	600
Terabit		5,000		5,000
Post boost control system		2,900		2,000
Missile propulsion technology		1,700		1,200
Tactical missile propulsion		3,000		2,300
Orbit transfer propulsion		2,300		1,700
Space optics relay mirror concept		1,000		800
Laser remote optical sensing		1,600		1,200
COMMAND CONTROL AND COMMUNICATIONS	46,448	47,548	54,248	52,148
Deferral of space based radar subsystem technologies and concepts			−1,450	−1,450
Electromagnetic technology			9,300	7,000
Defer bistatic effort		−2,600		−2,600
Distributed agent based C2 planning		1,000		800
Common battle space algorithms/processing		800		600
Intelligent networks for global information assurance		900		600
Computer forensics		600		600
Real time knowledge based sensor to shooter decision making		600		600
ADVANCED MATERIALS FOR WEAPON SYSTEMS	25,890	31,890	30,390	34,390
Composite space launch payload dispensers			4,450	4,450
Advanced low observable coatings		6,000		4,000
ADVANCED AEROSPACE SENSORS	29,405	47,805	24,805	38,405
Defer EO sensors to detect deep hide targets			−4,600	−2,300
Multispectral battlespace simulation for IDAL		15,000		9,000
Combat ID AGRI ATD		3,400		2,300
AEROSPACE PROPULSION AND POWER TECHNOLOGY	38,778	39,378	39,028	39,178
More electric aircraft program			250	
Aircraft and weapon power		600		600
PERSONNEL, TRAINING AND SIMULATION TECHNOLOGY	4,827	7,027	6,627	6,327
Behavioral Science Research under Air Force Research Lab			1,800	1,450
Night vision training		2,200		0
CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	14,841	29,841	22,841	31,341
High brightness helmet mounted visual system components and mini-CRT		4,450	5,000	3,000
Panoramic Night Vision Goggles for Aircrews			3,000	1,450
Accelerate subsystem qualification testing for next generation ejection seats		15,000		12,000
ELECTRONIC COMBAT TECHNOLOGY	27,334	34,434	27,334	32,334
CLIRCM		7,100		2,000
IDAL C3NI				3,000
SPACE AND MISSLE ROCKET PROPULSION	11,231	26,531	11,231	16,731
IHPRPT		11,000		5,450
Missile propulsion technology		2,600		0
Orbit transfer propulsion		1,700		0
ADVANCED SPACECRAFT TECHNOLOGY	76,229	67,259	118,129	103,529
Discoverer II		−28,670		−15,400
Deferral of space based radar antenna technologies			−2,100	−2,100
Deferral of Warfighter 2 demo			−6,000	−6,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

Program	Budget	House	Senate	Conference
Miniature Satellite Threat Reporting System (MSTRS)		4,000	5,000	4,000
Upper Stage Flight Experiment			15,000	15,000
Space Maneuver Vehicles			25,000	15,000
Digital radiation hardened microelectronics		10,000		5,000
Hyperspectral imaging		1,200		800
Scorpius			5,000	3,000
Composite space launch payload dispensers		4,450		3,000
Microsat Technology (Transfer from 0605864F)				5,000
CONVENTIONAL WEAPONS TECHNOLOGY	21,479	23,033	21,479	21,033
Defer PIOS II technology for AMRAAM		−2,446		−2,446
Optical correlator technology		4,000		2,000
ADVANCED WEAPONS TECHNOLOGY	38,995	56,495	44,695	57,495
Reduce growth in advanced solid state lasers for advanced applications			−5,300	−2,000
LaserSpark		2,450	5,000	2,450
Field laser radar upgrade			6,000	6,000
GLINT		15,000	(7,450)	12,000
ENVIRONMENTAL ENGINEERING TECHNOLOGY		3,000	5,000	5,450
E-SMART Environmental Monitoring Tool			5,000	4,000
Environmental quality technology		3,000		1,450
JOINT STRIKE FIGHTER	235,374	335,374	250,374	250,374
Alternative Engine Development			15,000	15,000
Risk reduction		100,000		0
INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	28,628	28,628	47,828	47,828
Quick reaction launch demonstration under RSLP			19,200	19,200
C–130		43,600		40,600
Transfer from aircraft procurement for Avionics Improvement Program		39,600		38,600
AC–130 Leading Edge		4,000		2,000
WIDEBAND MILSATCOM (SPACE)	53,344	44,344	53,344	50,344
Excessive program support costs		−6,000		−3,000
Excessive Joint Terminal Program Office funding		−3,000		0
B–1B	203,544	203,544	163,544	178,544
Delays in Block E Computer Upgrade Program			−20,000	−10,000
Delays in IDECM/Block F Defensive System Upgrade Program		−20,000	−20,000	−15,000
B–2 ADVANCED TECHNOLOGY BOMBER	201,765	344,165	238,765	301,765
JASSM contract savings		−31,600		−31,600
Delay of AV–3 Block 30 mods		−37,000		−10,000
Classified program		30,100		30,100
Link 16/Display		92,000		68,700
EGBU–28		35,900		16,800
Inflight replanning		35,000		20,000
Stealth enhancement		16,000		4,000
Next generation bomber study		2,000		2,000
B–2 Upgrades and Maintainability Enhancements			37,000	0
EW DEVELOPMENT	90,347	89,047	100,347	86,847
Delay in IDECM program		−15,000		−15,000
Precision location and ID program (PLAID)		13,700	10,000	11,450
Space-based infrared system (SBIRS)	77,651	229,029	127,651	229,029
Transfer from 0603441F		151,378		151,378
SBIRS low EMD (for one flight demo)			50,000	0
MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE)	361,308	214,308	361,308	362,808
Integrated Satellite Communication Control		3,000		1,450
Transfer MILSTAR procurement to missile procurement		−150,000		0
LIFE SUPPORT SYSTEMS	6,135	9,135	8,635	11,635
Life support systems			2,450	2,450
Arm, torso, head & neck wind blast shielding and other aircraft inflatable restraint configurations		3,000		3,000
COMBAT TRAINING RANGES	6,220	17,820	6,220	12,020
Advanced Data Oriented Security Module		6,000		3,000
Mini-MUTES modernization program		5,600		2,800
COMPUTER RESOURCE TECHNOLOGY TRANSITION (CRTT)	196	6,396	2,996	6,096
Asset software reuse program			2,800	2,800
NPLACE National Product Line Software Initiative		5,200		2,600
AF product line engineering		1,000		600
MAJOR T&E INVESTMENT	47,334	69,534	53,334	57,934
MARIAH II Hypersonic Wind Tunnel program		6,000	6,000	4,000
Unjustified growth in propulsion wind tunnel hardware		−3,000		−3,000
Eglin range improvements		9,000		4,450
Modify B–52H as launch platform for experimental space vehicles and new weapon systems		10,200		5,100
Laser Induced Surface Improvement				(1000)
TEST AND EVALUATION SUPPORT	392,104	600,104	365,504	382,104
Authorization transfer to S&T			−1,600	0
Program reduction			−30,000	−15,000
Big Crow program office		8,000	5,000	5,000
SPACE TEST PROGRAM (STP)	51,658	51,658	61,658	51,658
Micro Satellite Technology (transfer to 0603401F)			10,000	0
B–52 SQUADRONS	32,139	47,539	47,539	40,139
Situational awareness upgrades		15,400	15,400	8,000
F–16 SQUADRONS	112,250	127,520	118,520	115,520
Adv Identification Friend or Foe (AIFF) for F–16			6,000	3,000
Radar ECCM improvements		15,000		0
F–15E SQUADRONS	112,670	152,670	112,670	127,670
F–15 service life extension		20,000		0
Radar ECCM improvements		20,000		15,000
AF TENCAP	10,102	0	10,102	13,102
Consolidate AF/NRO activities		−10,102		0
Authorized TENCAP project				3,000
JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	166,408	166,408	166,408	166,408
Alternative missile engine source development			(1,000)	(1,000)
AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	33,393	36,393	33,393	36,393
Transfer from aircraft procurement for AWACS computers		3,000		3,000
AWACS Cooperative Engagement Funding		(15,800)		(15,800)
JOINT SURVEILLANCE AND TARGET RADAR SYSTEM	130,488	161,988	130,488	148,488
Properly phase Link 16 funding		−15,000		−15,000
Unjustified growth of management support funding		−2,000		−2,000
RTIP		48,450		35,000
USAF MODELING AND SIMULATION	19,299	23,799	19,299	21,249
STORM		2,450		1,250
Powerscene		2,000		700
DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SPACE)	8,985	3,985	6,485	5,485
Authorization transfer to S&T			−2,450	−2,450
EELV integration delays and savings		−5,000		−1,000
INFORMATION SYSTEMS SECURITY PROGRAM	7,992	12,492	17,992	19,492
Lighthouse cyber security program			10,000	7,000
Computer coordinated distribution attack detection		4,450		4,450
NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL)	98,890	98,890	98,890	108,890
Operational Control Segment (OCS) shortfalls				10,000
SPACELIFT RANGE SYSTEM (SPACE)	43,186	60,986	43,186	51,686

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

Program	Budget	House	Senate	Conference
Universal Spaceport at Vandenburg AFB		8,450		8,450
Fund shortfalls in space ranges		9,300		0
ENDURANCE UNMANNED AERIAL VEHICLES	70,835	89,800	57,600	79,800
Dark Star		−6,035	−6,035	−6,035
Global Hawk		25,000	−7,200	15,000
AIRBORNE RECONNAISSANCE SYSTEMS	124,608	144,008	134,608	139,608
Data Rate Laser Comms		2,000		0
JSAF		17,400		0
JSAF LBSS and HBSS			10,000	15,000
MANNED RECONNAISSANCE SYSTEMS	9,388	12,388	21,888	20,388
MSAG on RC-135		3,000		3,000
Prototype pre-processor			4,450	4,450
U–2 Dual data link II upgrade			8,000	3,450
AF/NRO Consolidated Activities	0	23,450	0	10,882
AF/NRO consolidate activities		19,450		10,882
Note: The conferees agree to consolidate funds for AF/NRO Partnership and the Space Architect Program authorized in TENCAP		4,000		0
C–5 AIRLIFT SQUADRONS	63,041	60,041	44,172	60,041
Unjustified mission support growth in Avionics Modernization Program		−3,000		−3,000
C–5 Program		0	(63041)	
C–17 AIRCRAFT	170,718	149,918	170,718	160,918
Rephase communications avionics		−15,000		−4,000
Unjustified funding for ''other'' on-going improvements		−5,800		−5,800
PRODUCTIVITY, RELIABILITY, AVAILABILITY, MAINTAIN	9,382	9,382	9,382	22,382
Aging aircraft & landing gear extension program			7,000	7,000
Blade repair facility			7,000	6,000
SUPPORT SYSTEMS DEVELOPMENT	22,383	37,383	31,383	33,383
Simulation Based Forecasting Decision Support Systems (SBFDSS)		3,000		1,450
Integrated Maintenance Data Systems		9,000	9,000	8,000
Reengineering and enabling technologies		2,000		1,000
Air Resource Rapid Reapplication Tools		1,000		600
Air Force Knowledge Management Program				(2000)
COBRA BALL			4,000	4,000
Advanced Airborne Sensor			4,000	4,000

MATERIALS

The conferees are aware of the potential for fuel cells to reduce the logistics requirements for batteries and liquid fuels, and improve operational effectiveness of various systems. The conferees note that a full-scale demonstration of an advanced solid polymer electrolyte fuel cell that uses PBO based membranes holds great promise in increasing the performance of and reducing the cost of fuel cells. The conferees request that the Secretary of the Air Force provide a report by February 1, 2000 reviewing PBO fuel cell technology and evaluating its potential to meet the demanding requirements of the 'Air Expeditionary Force Deployment' concept of operation.

CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY

The conference agreement includes $12,000,000 only for ejection seat risk reduction efforts. These funds shall be divided equally between all viable competitors and are to be used to bring each candidate seat to a common qualification standard consistent with joint Air Force-Navy requirements. This effort is to be designated as a Joint Ejection Seat Program, with program management responsibilities to rotate between the Air Force and Navy in accordance with a schedule specified by the Secretary of Defense. The conferees direct the Air Force and the Navy, in conjunction with their fiscal year 2001 budget requests, to provide a program and associated funding plans that will bring each candidate seat to a common qualification standard in an expeditious manner. The Air Force and the Navy should include sufficient funds for each ejection seat, consistent with that plan, in their budget requests. The conferees expect this program will lead to development of fully qualified seats that can be competed for installation into the Joint Strike Fighter and other current and future aircraft.

MILSTAR

The conference agreement funds the MILSTAR program in the Research, Development, Test, and Evaluation, Air Force account as in past years. While the Air Force has indicated that the sixth and last satellite will not be used for Independent Operational Test and Evaluation and therefore would have been more appropriately funded in procurement, the conferees acknowledge that this satellite is now 60% assembled. The conferees therefore believe that it is impractical to transfer funding for this satellite to the procurement account at this stage in the program.

F–22

The conferees have included $1,222,232,000, the budget request amount, for the F–22 engineering and manufacturing development program. In addition, the conferees have included two general provisions providing funds for the F–22 program. The first provision appropriates an additional $1,000,000,000 which is available for transfer for the purposes of F–22 program research, development, test and evaluation, and advance procurement. This provision includes a prohibition on the award of a full funding contract for low-rate initial production for the F–22 aircraft program until the first flight of an F–22 aircraft incorporation Block 3.0 software has been conducted. The conferees agree that up to $277,100,000 of the funds appropriated by this provision may be transferred to the ''Aircraft Procurement, Air Force'', account only for advance procurement of F–22 aircraft. The conferees further agree that any funds transferred for F–22 advance procurement shall not be available for obligation until the Secretary of Defense certifies to the congressional defense committees that all 1999 Defense Acquisition Board exit criteria have been met. The conferees direct the Air Force to establish cost accounting procedures which allow the accurate tracking of the cost of the additional test aircraft apart from other F–22 development efforts. The conferees further direct that costs associated with the additional test aircraft be separately identified in future research and development budget documents using the budget categories of the F–22 ''P–5'' budget exhibit. A second provision appropriates an additional $300,000,000 for F–22 program termination liability or for other F–22 program contractual requirements in lieu of termination liability obligations. The conferees agree that the funds provided under this provision are not available for expenditure until October 1, 2000.

SPACE BASED INFRARED SYSTEM (SBIRS)—HIGH

The conferees direct that no more than $100,000,000 of the funds provided for SBIRS High shall be obligated until the Secretary of Defense certifies that the production program complies with all DoD full funding policies (including the policy against funding more than 20% of the end-item cost using advance procurement) and that the program concurrency risk has been reduced relative to the acquisition strategy proposed by the Joint Estimating Team. The conferees further direct that concurrent with the Secretary of Defense certification above, the Director of Operational Test and Evaluation submit an assessment of whether the SBIRS high acquisition strategy allows for adequate testing to support a production decision.

GLOBAL POSITIONING SYSTEM SPECTRUM HARMONIZATION

The conferees continue to support the development of global positioning system technologies as being vital to the national security and economic interests of the United States. It has come to the attention of the conferees that increases in the aggregate noise that is generated into the spectrum band restricted for the delivery of GPS by users of spectrum in other frequency bands may pose a significant threat to the delivery of GPS. The conferees once again recognize the critical national security, public safety and economic interests that are implicated by this threat to the delivery of GPS, and therefore direct the DOD to initiate a spectrum harmonization study to be conducted by the National Telecommunications and Information Administration of the United States Department of Commerce to be delivered to the defense appropriations committees no later than January 31, 2000.

THEATER AIR COMMAND AND CONTROL SIMULATION FACILITY (TACCSF)

Of the amount appropriated for infrastructure upgrades at TACCSF's new facility, $450,000 will be made available to Sandia National Laboratories and Los Alamos National Laboratories to initiate a process to leverage their scientific, analytical, and computational capacities to advance and expand the simulation and modeling activities at TACCSF.

MARIAH II WIND TUNNEL

In 1998, Congress combined the Air Force's and NASA's Hypervelocity Wind Tunnel programs under the name of Mariah II. This was done in recognition of the Air Force's requirements for Air Defense as well as the reputation of Arnold Engineering Development Center in the development and use of wind tunnels. The conferees believe that a hypervelocity ground test facility is critical for the development of the next generation of space and re-entry vehicles. The conferees are also concerned that the Air Force has been hesitant to adequately fund this successful high technology project. Any delays in this program would not only defeat the research momentum of all of the partners, but it would destroy the excellent teaming that has enabled the success to date. The conferees encourage the Department of the Air Force to support this necessary research and urge the Department of Defense to budget funds for fiscal year 2001 and beyond.

HIGH ALTITUDE ENDURANCE VEHICLE

GLOBAL HAWK UNMANNED AERIAL VEHICLE

The conferees are very concerned that the Air Force is planning to proceed with a revised Global Hawk program that has not been formally presented to Congress for approval. Additionally, it is unclear how this new program, if approved, would be funded in the out-years. The conferees understand that the total cost of the program could exceed $800,000,000 and that the Air Force may divert funds budgeted or appropriated for other Intelligence, Surveillance, and Reconnaissance (ISR) assets, to fully fund the revised Global Hawk program. The conferees agree that using other ISR assets as a ''bank'' from which to draw funds for the Global Hawk program would likely not serve the best interests of the Department of Defense.

Therefore, while the conferees have agreed to provide an increase of $15,000,000 for Global Hawk, this should not be perceived as an approval of the revised Global Hawk program. The conferees agree that if the revised Global Hawk program is what the Administration plans to pursue, the program should be presented in a future budget request. Any shortfall in funding in fiscal year 2000 may be accommodated by approval of a reprogramming request.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, DEFWIDE				
DEFENSE RESEARCH SCIENCES	64,293	66,293	66,293	67,893
UNIVERSITY RESEARCH INITIATIVES	216,778	227,278	221,778	231,378
GULF WAR ILLNESS	19,185	19,185	19,185	25,185
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	31,386	45,386	35,386	44,886
NEXT GENERATION INTERNET	40,000	41,000	31,000	36,000
SUPPORT TECHNOLOGIES - APPLIED RESEARCH	65,328	80,328	90,328	89,328
HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)	14,329	16,329	14,329	16,329
COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY	322,874	330,874	317,874	324,874
EXTENSIBLE INFORMATION SYSTEMS	70,000	30,000	45,000	30,000
BIOLOGICAL WARFARE DEFENSE	145,850	101,850	145,850	132,350
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	64,780	99,280	74,780	94,780
TACTICAL TECHNOLOGY	137,626	137,626	129,126	129,126
INTEGRATED COMMAND AND CONTROL TECHNOLOGY	31,296	43,996	41,296	38,296
MATERIALS AND ELECTRONICS TECHNOLOGY	235,321	248,821	234,821	243,821
WMD RELATED TECHNOLOGY	203,512	215,512	218,512	216,512
EXPLOSIVES DEMILITARIZATION TECHNOLOGY	11,183	22,383	18,183	25,183
COUNTERTERROR TECHNICAL SUPPORT	52,223	57,223	59,223	57,223
SUPPORT TECHNOLOGIES-ADVANCED TECHNOLOGY DEVELOPMENT	173,704	196,317	215,704	214,704
KE ASAT	---	---	---	7,500
ADVANCED AEROSPACE SYSTEMS	19,664	19,664	14,664	17,164
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	40,910	45,910	42,410	42,410
VERIFICATION TECHNOLOGY DEMONSTRATION	58,455	76,455	59,955	74,455
GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	17,336	30,536	26,336	27,336
STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,506	59,506	59,506	58,506

(In thousands of dollars)

	Budget	House	Senate	Conference
JOINT WARFIGHTING PROGRAM	7,872	7,872	59,712	7,872
COOPERATIVE DOD/VA MEDICAL RESEARCH	---	---	10,000	8,000
ADVANCED ELECTRONICS TECHNOLOGIES	246,023	256,523	229,523	254,523
ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	117,969	88,569	121,969	107,969
HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	159,099	167,099	166,099	168,099
COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	222,888	222,888	187,888	190,888
SENSOR AND GUIDANCE TECHNOLOGY	232,319	182,658	207,319	181,519
MARINE TECHNOLOGY	22,538	23,538	22,538	23,288
LAND WARFARE TECHNOLOGY	97,825	97,825	93,825	93,825
JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	68,456	68,456	69,456	69,206
PHYSICAL SECURITY EQUIPMENT	37,107	25,792	32,107	26,107
JOINT ROBOTICS PROGRAM	12,937	16,937	17,937	17,937
ADVANCED SENSOR APPLICATIONS PROGRAM	15,345	26,845	26,345	27,345
CALS INITIATIVE	1,652	1,652	5,652	5,652
NAVY THEATER WIDE MISSILE DEFENSE SYSTEM	329,768	419,768	379,768	379,768
MEADS CONCEPTS - DEM/VAL	48,597	---	48,597	48,597
BOOST PHASE INTERCEPT THEATER MISSILE DEFENSE ACQ	---	---	20,000	5,000
NATIONAL MISSILE DEFENSE - DEM/VAL	836,555	761,555	986,555	836,555
JOINT THEATER MISSILE DEFENSE - DEM/VAL	195,722	200,722	215,722	198,222
FAMILY-OF SYSTEMS ENGINEERING AND INTEGRATION	141,821	141,821	136,821	146,821
BMD TECHNICAL OPERATIONS	190,650	200,650	193,650	216,150
INTERNATIONAL COOPERATIVE PROGRAMS	36,650	36,650	78,650	81,650
THREAT AND COUNTERMEASURES	16,497	16,497	20,497	19,497
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - DEM/VAL	62,033	69,533	69,033	69,033
HUMANITARIAN DEMINING	15,847	20,647	18,847	18,847

(In thousands of dollars)

	Budget	House	Senate	Conference
COALITION WARFARE	12,781	---	12,781	---
TECHNICAL STUDIES, SUPPORT AND ANALYSIS	353	---	353	---
JOINT SYSTEMS EDUCATION AND TRAINING SYS DEV	---	5,000	---	3,500
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - EMD	116,365	120,865	116,365	119,365
JOINT ROBOTICS PROGRAM - EMD	12,004	12,004	17,004	15,004
COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	16,976	8,000	16,976	11,976
THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - EMD	577,493	---	---	45,755
PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION - EM	29,141	77,641	181,141	104,141
NAVY AREA THEATER MISSILE DEFENSE - EMD	268,389	310,189	310,189	308,389
DIMHRS	---	41,200	---	41,200
ASSESSMENTS AND EVALUATIONS	4,900	---	4,900	---
TECHNICAL STUDIES, SUPPORT AND ANALYSIS	29,506	---	29,506	---
TECHNICAL STUDIES, SUPPORT AND ANALYSIS	588	---	588	---
USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	2,215	---	2,215	2,215
OSD TECHNICAL STUDIES AND ASSESSMENTS	---	30,021	---	30,021
GENERAL SUPPORT TO C3I	2,000	2,000	2,000	8,000
FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	34,937	34,937	74,937	64,937
INDUSTRIAL CAPABILITIES ASSESSMENTS	3,299	---	3,299	---
JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	17,079	17,079	27,079	27,079
CLASSIFIED PROGRAM USD(P)	---	11,842	---	11,842
DEFENSE TECHNOLOGY ANALYSIS	4,974	4,974	9,974	9,974
INFORMATION SYSTEMS SECURITY PROGRAM	232,661	232,661	234,461	234,461
NETWORK SECURITY	---	12,000	---	12,000
DEFENSE IMAGERY AND MAPPING PROGRAM	88,401	101,401	99,201	104,201
DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	---	---	6,000	---

(In thousands of dollars)

	Budget	House	Senate	Conference
C3I INTELLIGENCE PROGRAMS	9,480	15,480	9,480	15,480
MANNED RECONNAISSANCE SYSTEMS	8,494	16,994	8,494	14,494
TACTICAL CRYPTOLOGIC ACTIVITIES	109,540	106,840	109,540	109,540
INDUSTRIAL PREPAREDNESS	6,665	10,415	6,665	9,665
SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	106,671	149,370	127,271	150,270
SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	1,407	6,507	1,407	5,407
SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,039	6,039	2,039	4,039
TECHNOLOGY INSERTION PROGRAM	---	5,000	---	5,000
SUPERSONIC AIRCRAFT NOISE MITIGATION	---	---	---	15,000
CLASSIFIED PROGRAMS	1,048,214	1,172,414	1,155,214	1,171,414
PENTAGON RENOVATION TRANSFER	---	---	---	-3,300

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, DEFENSE-WIDE				
DEFENSE RESEARCH SCIENCES	64,293	66,293	66,293	67,893
Spectral hole burning applications			2,000	1,700
Nanoelectric research [Note: $1,900,000 is only for molecular and Quantum-Dot Cellular Automata nanoelectronic research.]		2,000		1,900
UNIVERSITY RESEARCH INITIATIVES	216,778	227,278	221,778	231,378
Anticorrosion studies			1,450	800
Advanced high yield software development			1,450	800
Active hyperspectral imaging sensor research			2,000	2,000
DEPSCOR		[25,000]	[25,000]	[25,000]
Personnel research institute			[2,000]	[2,000]
Remote sensing		5,000		2,000
Defense commercialization research initiative		5,450		5,450
Comprehensive Test Ban Treaty Verification				1,450
Virtual parts engineering research center				2,000
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	31,356	44,386	35,386	44,886
Chemical and biological detection programs			4,000	3,450
Laboratory-based and analytical threat assessment research (non-agent specific) (USAMRIID)		10,000		7,000
Chemical and biological point detectors		3,000		2,000
Chemical and biological detection programs		1,000		1,000
NEXT GENERATION INTERNET	40,000	41,000	31,000	36,000
Program reduction			−10,000	−5,000
Next generation internet		1,000	1,000	1,000
SUPPORT TECHNOLOGIES—APPLIED RESEARCH	65,328	80,328	90,328	89,328
Wide band gap materials—gallium nitride		10,000	10,000	5,000
Wide band gap materials—silicon carbide [Note: The conferees recommend and increase of $4 million to support the production of epitaxy for silicon carbide semiconductor device research to support design and fabrication of advanced sensors and processing systems.]			4,000	4,000
Photoconduction on Active Pixel Sensors			8,000	8,000
Laser communications experiment			3,000	3,000
High Frequency Surface Wave Radar (HFSWR)		5,000		4,000
HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)	14,329	16,329	14,329	16,329
Minority research program (HSI) Note: $2,000,000 is only for hispanic-serving institutions.]		2,000		2,000
COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY	322,874	330,874	317,874	324,874
Image understanding for force protection			−8,000	−5,000
Reuse technology adoption program		3,000	3,000	2,000
Computer security demos using RNP and redundancy			[450]	[300]
Systems engineering for miniature devices		5,000		5,00
BIOLOGICAL WARFARE DEFENSE	145,850	101,850	145,850	132,350
Program reduction		−12,000		
Aerogel special silica material		4,000		3,000
Asymmetrical protocols for biological warfare defense		4,000		3,450
Program reduction due to excessive growth		−40,000		−20,000
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	64,780	99,280	74,780	94,780
Chemical and biological detection programs			10,000	8,000
Protocols to enhance biological defense		10,000		5,000
Countermeasures to biological and chemical threats		13,000		13,000
Safeguard		3,000		
Chemical and biological point detectors		4,450		2,000
Chemical and biological chemical hazard detection		4,00		2,000
TACTICAL TECHNOLOGY	137,626	137,626	129,126	129,126
Simulated battlefield imagery			−5,000	−5,000
Affordable rapid response missile demonstration			−6,000	−6,000
Micro adaptive flow control			−2,450	−2,450
Variable diameter tiltrotor			−2,000	−2,000
Ceros			7,000	7,000
INTEGRATED COMMAND AND CONTROL TECHNOLOGY	31,296	43,996	41,296	38,296
High definition systems/flat panel displays		8,700	10,000	7,000
Flat panel displays and schott glass technology		4,000		
MATERIALS AND ELECTRONICS TECHNOLOGY	235,321	248,821	234,821	243,821
Reconfigurable aperture			−6,000	−6,000
Fabrication of 3-D micro structures, including research on materials processing		4,000	2,000	2,000
Biodegradable plastics			1,450	1,000
Strategic materials			2,000	2,000
Materials in sensors (MINSA)		9,450		9,450
WMD RELATED TECHNOLOGY	203,512	215,512	218,512	216,512
Thermionics		5,000	3,000	3,000
Nuclear weapons effects			7,000	4,000
Deep digger			5,000	4,000
Discrete particle methods		2,000		1,000
Nuclear weapons effects (x-ray simulator)		5,000		1,000
EXPLOSIVES DEMILITARIZATION TECHNOLOGY	11,183	22,383	18,183	25,183
Explosives demilitarization technology		7,000	7,000	7,000
Hydrothermal oxidation of explosives waste		3,000		3,000
Waterject Cutting Technology		1,200		1,000
Hot Gas Decontamination			[4,450]	3,000
COUNTERTERROR TECHNICAL SUPPORT	52,223	57,223	59,223	57,223
Facial recognition technology		5,000	3,000	3,000
Testing of air blast and improvised explosives			4,000	2,000
SUPPORT TECHNOLOGIES-ADVANCED TECHNOLOGY DEVELOPMENT	173,704	196,317	215,704	214,704
Atmospheric interceptor technology		20,000	30,000	25,000
Excalibur		5,000	5,000	5,000
Scorpius		5,000	5,000	5,000
Silicon thick film mirror coatings			2,000	2,000
Space based laser		−16,187		
PRIME		1,300		1,000
Cruise missile defense initiative		[7,000]		[6,000]
Lightweight x-based radar				3,000
KE SEAT		7,450		
VERIFICATION TECHNOLOGY DEMONSTRATION	58,455	76,455	59,955	74,455
Nuclear detection, analysis		6,000		6,000
Center for monitoring research		[10,000]	1,450	[10,000]
Basic and applied research to support nuclear testing		12,000		10,000
GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	17,336	30,536	26,336	27,336
Microelectronics (DMEA)		4,700	3,000	3,000
Computer assisted technology transfer (CATT)		6,000	6,000	6,000
Competitive sustainment demonstration		2,450		1,000
STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,506	59,506	59,506	58,506
Biosystems technology			6,000	
Environmental cleanup workers safety		3,000		3,000
Toxic chemical cleanup		3,000		2,000
ADVANCED ELECTRONICS TECHNOLOGIES	246,023	256,523	229,523	254,523
Change detection technology			3,000	2,000
Distributed robotics			−5,000	−5,000
Microelectromechanical systems (MEMS)			−20,000	
Defense techlink		1,450	1,450	1,450
Center for advanced microstructure and devices (CAMD)		4,000	4,000	4,000
Laser plasma x-ray		5,000		5,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget	House	Senate	Conference
X-ray lithography stepper technology				1,000
ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	117,969	88,569	121,969	107,969
Magnetic bearing cooling turbine			4,000	
Reduction per House Authorization		−29,400		−10,000
HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	159.099	167,099	166,099	168,099
Multithread architecture system for high performance computing modem		8,000	4,000	6,000
High performance visualization center			3,000	3,000
COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	222,888	222,888	187,888	190,888
Advanced intelligence, surveillance and reconnaissance; active templates and JFACC			−10,000	−7,000
Command post of the future			−5,000	−5,000
Agile control environment			−20,000	−20,000
SENSOR AND GUIDANCE TECHNOLOGY	232,319	182,658	207,319	181,519
Large millimeter telescope		3,000	2,000	2,000
Organic ground moving target radar			−3,000	−3,000
Low cost cruise missile defense		−4,000	−4,000	−4,000
Affordable moving surface target engagement			−20,000	−10,000
Discoverer II		−50,661		−37,300
Underground facilities detection [Note: $1.5 million is only for MOLES.]		2,000		1,450
PHYSICAL SECURITY EQUIPMENT	37,107	25,792	32,107	26,107
Force protection COTS equipment			−5,000	−5,000
Program growth reduction		−11,315		−6,000
JOINT ROBOTICS PROGRAM	12,937	16,937	17,937	17,937
Lightweight robotic vehicles			5,000	3,000
Joint robotics		4,000		2,000
ADVANCED SENSOR APPLICATIONS PROGRAM HAARP	15,345	26,845	26,345	27,345
Solid state dye laser applications (ASAP)		6,000	6,000	4,450
High power mid-infrared laser		2,000		1,000
Remote Operating Minehunting sonar		3,450		1,450
NAVY THEATER WIDE MISSILE DEFENSE SYSTEM	329,768	419,768	379,768	379,768
NTW acceleration		40,000		
Radar improvements competition		50,000	50,000	50,000
[Note: House bill provides an additional amount of $35,000,000 to be derived from previously appropriated, fiscal year 1999, funds (P.L. 105–277) only for NTW acceleration.]		[+35,000]		
NATIONAL MISSILE DEFENSE—DEM/VAL	836,555	761,555	986,555	836,555
National missile defense—dem/val		−75,000	150,000	
[Note: The conferees provide an additional amount of $117,000,000 to be derived from previously appropriated, fiscal year 1999, funds (P.L. 105–277) only for NMD.]		[+75,000]		[+117,000]
JOINT THEATER MISSILE DEFENSE—DEM/VAL	195,722	200,722	215,722	198,222
Liquid surrogate target development program		5,000	5,000	2,450
Pacific missile range facility TMD upgrades			10,000	
Optical-electro sensors			5,000	
Kauai Test Facility			[4,000]	
FAMILY OF SYSTEMS ENGINEERING AND INTEGRATION	141,821	141,821	136,821	146,821
Delayed obligation of prior year funds			−5,000	−5,000
CEC space				10,000
BMD TECHNICAL OPERATIONS	190,650	200,650	193,650	216,150
Advanced research center			3,000	2,450
IR sensor data		[10,000]		[5.000]
Development of wide bandwidth information infrastructure		10,000		8,000
Pacific misile range facility TMD upgrades				10,000
Optical-electro sensors				5,000
Kauai Test Facility				[4,000]
INTERNATIONAL COOPERATIVE PROGRAMS	36,650	36,650	78,650	81,650
Arrow third battery			42,000	45,000
[Note: House bill provides an additional amount of $45,000,000 to be derived from previously appropriated, fiscal year 1999, funds (P.L. 105–277) only for the Arrow Third Battery.]			[+45,000]	
THREAT AND COUNTERMEASURES	16,497	16,497	20,497	19,497
Comprehensive advanced radar technology			4,000	3,000
Phase IV of the long range missile feasibility assessment, including additional counter-measures hands-on-program missions			[3,000]	
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	62,033	69,533	69,033	69,033
Bioadhesion research to combat biological warfare			2,000	1,450
M93A1 Fox Simulation Training Suites		5,000	5,000	4,000
Counterterror research		2,450		1,450
HUMANITARIAN DEMINING	15,847	20,647	18,847	18,847
Demining technology for unexploded land mines			3,000	3,000
Humanitarian demining			[1,800]	[1,800]
Demining		3,000		
Humanitarian demining		1,800		
THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM—TMD—EMD	83,755	0	0	45,755
THAAD—Engineering, Manufacturing and Development		0	0	45,755
[Note: The conferees provide an additional amount of $38,000,000 to be derived from previously appropriated, fiscal year 1999, funds (P.L. 105–277) only for THAAD EMD once it meets exit criteria.]			[+83,755]	[+38,000]
PATRIOT PAC–3 THEATER MISSILE DEFENSE ACQUISITION—EM	29,141	77,641	181,141	104,141
Program cost overruns		48,450	152,000	75,000
[Note: The conferees provide an additional amount of $75,000,000 to be derived from previously appropriated, fiscal year 1999, funds (P.L. 105–277) only for the PAC 3 cost overruns.]		[+75,000]		[+75,000]
NETWORK SECURITY		12,000		12,000
Protection of vital data [Note: The conferees direct the Department to transfer the funds provided for this project to the National Security Agency for execution.]		12,000		12,000
DEFENSE IMAGERY AND MAPPING PROGRAM	88,401	101,401	99,201	104,201
Pacific Imagery Program for Exploitation			2,800	2,800
NIMA Viewer		8,000	8,000	8,000
National technology alliance		5,000		5,000
DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)			6,000	
Pacific Disaster Center			6,000	
GENERAL SUPPORT TO C31	2,000	2,000	2,000	8,000
Pacific Disaster Center				6,000
SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	106,671	149,370	127,271	150,270
Classified Programs			11,600	6,000
CV–22 Modifications		9,000	9,000	9,000
CV–22 Second Digital Map		3,600		
Small Craft Propulsion Systems Improvements		4,000		2,450
Advanced Seal Delivery Systems		26,099		26,099
SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	1,407	6,507	1,407	5,407
SOTVS underwater camera		2,100		1,300
Joint Threat Warning System		3,000		2,700

SEISMIC RESEARCH

Last year's nuclear tests in South Asia raises serious concerns about the Department's ability to support a robust operational nuclear test monitoring program. The conferees direct that from within available funds, $10,000,000 shall be available only for peer-reviewed basic and applied research only to support operational nuclear test monitoring. Of this amount, $2,450,000 shall be available only for peer-reviewed seismic research; and $7,450,000 shall be available only for peer-reviewed basic research—$6,450,000 of which is only for explosion seismology research. The conferees direct that

the basic and applied seismic research program consider the specific prioritized research topics recommended to the Department by the National Research Council.

The conferees direct the Defense Threat Reduction Agency to award these funds through a competitive peer panel review process; to segregate the basic and applied research funds for this program into clearly identifiable projects within the 6.1 and 6.2 budget categories; and to improve integration of the basic and applied components of the program. Further, the conferees direct the Department to provide, by December 1, 1999, a detailed report to the Congressional Defense Committees on the plan for obligating these funds. Finally, the conferees direct the Department to sustain funding for these activities in future budgets to ensure the expertise needed in this critical operational program.

NATIONAL MISSILE DEFENSE RISK REDUCTION

To take full advantage of joint ballistic missile defense efforts with allied nations, the conferees direct the Director of the Ballistic Missile Defense Organization to provide a report to the Appropriations Committees of the House and Senate by February 1, 2000, on those technologies, designs, or technical approaches developed by, or in cooperation with, allied ballistic missile defense programs that would help reduce the level of technical, schedule, or cost risk to any element of the U.S. national missile defense program.

ADVANCED RESEARCH CENTER

The conferees direct the Ballistic Missile Defense Organization not to establish any new missile defense data centers.

Further, the conferees have provided an additional $2,450,000 for the operational support of the Army's Advanced Research Center (ARC) for a total level of funding of $14,450,000. The conferees understand this level to be sufficient to maintain modeling and simulation capability at the facility in support of Theater and National Missile Defense Programs while providing the necessary infrastructure support for the facility. As such, users should not be required to offset operational costs with program funding in any form. Only peculiar and unique support should require such contributions and under no condition should such fees be assessed or required by higher commands. The conferees direct BMDO to maintain and plan for adequate levels of operational support for the ARC without reliance upon program user fees.

TRANSPORTATION TECHNOLOGIES

The House report recommended that the Center for Commercial Deployment of Transportation Technologies be considered for up to $15,000,000 of the funds provided in Operation and Maintenance, Defense-wide. To be consistent with United States Transportation Command's established funding mechanism and management system the conferees believe that the Center should be considered for up to $15,000,000 of the funds provided in Research, Development, Test and Evaluation, Defense-wide instead.

Discoverer II

The conferees agree to provide a total of $40,000,000 for the Discoverer II satellite technology demonstration program, a reduction of $68,450,000 to the budget request. The conferees agree that this funding shall be provided in equal portions to the Air Force, and Defense Advanced Research Project Agency (DARPA), and the National Reconnaissance Office (NRO).

The conferees direct that the funding provided in fiscal year 2000 may only be used to complete the Phase I study portion of the program, and any associated program management costs.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
DEVELOPMENTAL TEST & EVAL, DEFENSE				
CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT....	121,741	140,241	120,241	134,241

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	121,741	140,241	120,241	134,241
Roadway simulator		8,450	13,450	10,000
Resource enhancement project			−15,000	−5,000
Airborne separation video system		5,000		4,000
Magdalena ridge observatory		5,000		3,450

OPERATIONAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
OPERATIONAL TEST & EVALUATION, DEFENSE				
LIVE FIRE TESTING	9,832	14,832	19,832	16,832

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
Live fire testing	9,832	14,832	19,832	16,832
Live fire testing and training initiative		5,000	10,000	7,000

TITLE V—REVOLVING AND MANAGEMENT FUNDS

The conferees agree to the following amounts for Revolving and Management Funds programs:

[In thousands of dollars]

	Budget	House	Senate	Conference
Defense Working Capital Funds	90,344	90,344	90,344	90,344
National Defense Sealift Fund	354,700	729,700	354,700	717,200
Total, Revolving and Management Funds	445,044	820,044	445,044	807,544

DEFENSE WORKING CAPITAL FUNDS

The conferees agree to provide $90,344,000 for the Defense Working Capital Fund.

NATIONAL DEFENSE SEALIFT FUND

The conferees agree to provide an additional $320,000,000 for procurement of a new Large Medium-Speed Roll-on roll-off (LMSR) ship for the Army; $30,000,000 for conversion of an existing LMSR ship to meet Marine Corps requirements for a maritime prepositioning force ship; and $12,450,000 to convert an RRF sealift vessel into a training ship for the Massachusetts Maritime Academy.

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement is as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
Defense Health Program	10,834,657	11,078,417	11,184,857	11,154,617
Armed Forces Retirement Home	0	0	68,295	0
Chemical Agents and Munitions Destruction, Army	1,169,000	781,000	1,029,000	1,029,000
Drug Interdiction and Counter-Drug Activities, Defense	788,100	883,700	842,300	847,800
Office of the Inspector General	140,844	140,844	137,544	137,544
Total, Other Department of Defense Programs	12,932,011	12,883,961	13,261,996	13,168,961

DEFENSE HEALTH PROGRAM

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget	House	Senate	Conference
Alaska Federal Health Care (AFHCAN) Partnership Telemedicine Network			1,400	1,400
Uniformed Services University of the Health Sciences			(6,300)	(6,300)
Graduate School of Nursing			2,300	2,300
Tri Service Nursing Research Service			6,000	6,000
Pacific Island Health Care			5,000	5,000
Center for Disaster Management and Humanitarian Assistance			5,000	5,000
Casualty Care Research Center			(760)	(760)
Military Health Services Information Management			10,000	10,000
Brown Tree Snakes			1,000	1,000
PACMEDNET			12,000	12,000
Automated Clinical Practice Guidelines			7,450	7,450
DOD Center for Medical Informatics			(2,000)	2,000
Computational neuroscience		3,000		3,000
Lung cancer program [Note: $7,000,000 only to explore multiple avenue of research, prevention, diagnosis, and therapy that would yield new treatment options for lung cancer.]		7,000		7,000
Post-polio		1,300		1,300
Neuroscience research [Note: $3,000,000 only to establish West Coast Functional MRI brain research capabilities.]		3,000		3,000
Neuroscience research [Note: $5,000,000 only to continue neurological research under cooperative agreement DAMD 17–99–2–9007.]		5,000		5,000
Digital Mammography		5,000		4,000
Nutrition research		3,760		3,760
Periscopic surgery for the spine [Note: $2,000,000 only for research into the development of minimally invasive surgical procedures for the brain, spinal cord, and spine under DAMD 17–99–1–9022.]		2,000		2,000
Comprehensive breast cancer clinical care project [Note: $7,450,000 only for the Walter Reed Army Medical Center to establish a peer-reviewed research program by the Uniformed Services University for the Health Sciences to test and improve the Department's ability to provide comprehensive breast care risk assessment, diagnosis, treatment, and research. This program shall be a multi-disciplinary public/private effort in coordination with the USUHS, a not for profit research center, and a rural primary care center.]		7,450		7,450
Coronary and prostate disease reversal [Note: $5,000,000 only to continue the non-invasive coronary and prostate disease reversal program.]		5,000		5,000
Chronic disease management		10,000		10,000
Computer based patient records [Note: $4,200,000 is only for the further development of the Government Computer-based Patient Record program.]		4,200		4,200
Budget execution savings		−63,000		−63,000
RESEARCH, DEVELOPMENT, TEST AND EVALUATION (DHP)		250,000	300,000	275,000
Peer-reviewed Breast Cancer research program		175,000	175,000	175,000
Peer-reviewed Prostate Cancer research program		75,000	75,000	75,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget	House	Senate	Conference
Peer-reviewed medical research			50,000	25,000

MEDICAL RESEARCH

The conferees applaud the medical research and development efforts and accomplishments of the Department of Defense, and, within funding provided for the Defense Health Program, $275,000,000 for medical RDT&E efforts to be conducted by the Department. Within these funds, $175,000,000 is for the Army's peer reviewed Breast Cancer Research Program (BCRP), and $75,000,000 is for the Army's peer reviewed Prostate Cancer Research Program (PCRP).

The remaining funds of $25,000,000 are to be made available for peer reviewed medical research grants and activities. The conferees direct that the Secretary of Defense, in conjunction with the service Surgeons General, establish a process to select medical research projects of clear scientific merit and direct relevance to military health.

Such projects could include: acute lung injury research; advanced soft tissue modeling; alcohol abuse prevention research; Defense and Veterans Head Injury Program; Dengue fever vaccine research; childhood asthma; diabetes; digital mammography imagining; Gulf War Illnesses; Padget's disease; retinal display technology; smoking cessation; stem cell research; and volumetrically controlled manufacturing.

The conferees direct the Department to provide a report by March 1, 2000, on the status of this peer reviewed medical research program, to include the corresponding funds provided in fiscal year 1999.

CUSTODIAL CARE

The conference agreement includes a general provision clarifying the definition of custodial care as it pertains to the delivery of health care services provided by and financed under the military health care system's case management program. This provision also sets the overall policy for access of military health care system beneficiaries in the case management program. The House bill included a similar provision. The Senate bill contained no similar provision. The conferees expect the Department to expeditiously revise its regulations to comply with this provisions.

ANTHRAX VACCINE IMMUNIZATION PROGRAM (AVIP)

The Comptroller General shall study the immunization program and report on the following: effects on military morale, retention, and recruiting; the civilian costs and burdens associated with adverse reactions for members of the reserve components; adequacy of long- and short-term health monitoring; assessment of the anthrax threat, including but not limited to foreign doctrine, weaponization, quality of intelligence, and other biological threats. A classified annex may be submitted to meet this requirement.

The Department is directed to enter into a contract with the National Research Council to independently study the effectiveness and safety of the anthrax vaccine. The following issues shall be considered in the report: the types and severity of adverse reactions, including gender differences; long-term health implications; inhalational efficacy of the vaccine against all known anthrax strains; correlation of animal models to safety and effectiveness in humans; validation of the manufacturing process focusing on, but not limited to discrepancies identified by the Food and Drug Administration in February 1998; definition of vaccine components in terms of the protective antigen and other bacterial products and constituents; identification of gaps in existing research.

Preliminary reports addressing these issues will be submitted to the Committee on Appropriations and the Committee on Armed Services of both the House and the Senate by April 1, 2000.

OXFORD HOUSE

The conferees direct the Department to conduct a pilot project to improve treatment outcomes for alcoholism and drug addiction. The pilot project should evaluate the effectiveness and cost efficiency of Oxford House recovery homes in improving recovery without relapse following treatment for alcoholism and drug addiction among active and retired military personnel and their dependents. The conferees direct the Department to provide a report by March 1, 2000 on the status of this pilot project.

TRISERVICE NURSING RESEARCH PROGRAM

The conferees recommend $6,000,000 for the TriService Nursing Research Program (TSNRP). Within these funds, the conferees encourage the Department to leverage telehealth and distance learning capabilities, and to continue efforts in developing telemetered passive physiological monitoring for field conditions. Further, the conferees encourage the Department to begin funding the TSNRP in the Department's annual budget.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

The conference agreement is as follows:

(In thousands of dollars)

	Budget	House	Senate	Qty	Conference
CHEM AGENTS & MUNITIONS DESTRUCTION, ARMY					
CHEM DEMILITARIZATION - O&M	593,500	492,000	543,500	--	543,500
CHEM DEMILITARIZATION - PROC	241,500	116,000	191,500	--	191,500
CHEM DEMILITARIZATION - RDTE	334,000	173,000	294,000	--	294,000

CHEMICAL MUNITIONS DESTRUCTION, ARMY

The conferees concur with the decision of the Department of Defense to conduct evaluations of three additional alternative technologies under the Assembled Chemical Weapons Assessment (ACWA) Program. The conferees direct that $40,000,000 of the funds made available for Chemical Agents and Munitions Destruction, Army are only to conduct the additional ACWA evaluations. The conferees direct that the ACWA program is to proceed under the same guidelines as contained in Public Law 104–208, and continue to use the Dialogue process and Citizens Advisory Technical Teams and their consultants.

The conferees agree that the current budget execution rates for the Chemical Agents and Munitions Destruction program are unacceptable and hopes that the Army improves the budget execution rates in fiscal year 2000. In the event that program budget execution rates improve during the fiscal year, and additional funds are required to sustain the establishment and operation of the nine chemical demilitarization facilities, the conferees expect the Army to submit a reprogramming request subject to normal, prior approval reprogramming procedures.

The conferees disagree with the House direction with regard to an Inspector General report on the Chemical Agents and Munitions Destruction Program, Army. The conferees agree with House language directing the General Accounting Office to submit a report on the budget activities and management of the program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement is as follows:

[In thousands of dollars]

Drug Interdiction and counter-drug activities:	
Budget	788,100
House	883,700
Senate	842,300
Conference	847,800

SUMMARY OF CONFERENCE AGREEMENT

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

National Guard Counter-drug Support	+20,000
Gulf States Initiative	+10,000
RCTA	+2,000
Marijuana Eradication/Guard Counter-drug activities	
Kentucky	+3,200
Hawaii	+2,450
Counter-drug Intelligence and Infrastructure Support	+30,000
Northeast Regional Counter-drug Training Center	+2,000
Counter-narcotics Center at Hammer	+5,000
Technologies Assessment	+2,450
Southwest Border Fence	+4,000
Lake County HIDTA	+1,000
MJTFTC	+4,000
Southwest Border States Initiative	+6,000
NICI	+2,000
Young Marines	+1,450
Forward Operating Locations	−27,000
Ground Based Radars	−4,000
Tethered Aerostat Radar System	−5,000

TECHNOLOGIES ASSESSMENT

The conferees agree to provide $2,450,000 to assess technologies to detect air, land and maritime platforms which are evading currently operating detection and monitoring systems either because of their technological deficiencies or their locations. The conferees specifically direct that the assessment consider the utility of an additional Relocatable Over The Horizon Radar site, a Wide Aperture Radar Facility, and a ground station to support a tropical remote sensing radar. The conferees direct that the assessment be concluded by April 1, 2000 and that its findings be included in a report to the defense committees not later than May 15, 2000.

COUNTER-DRUG INTELLIGENCE AND INFRASTRUCTURE SUPPORT

The conferees agree to provide $30,000,000 for Counter-drug Intelligence and Infrastructure Support in order to support numerous initiatives including those outlined by the Senate in the Drug Free Century Act and those identified in House Report 105–244 to include Operation Caper Focus, P–3 FLIRs, observation aircraft, mothership operations, A–10 aircraft, and other joint military intelligence programs. The conferees direct the Deputy Assistant Secretary of Defense for Drug Enforcement Policy to provide a plan for utilization of these funds to the defense committees within 60 days of the enactment of this Act.

A–10 LOGISTICAL AND DEMILITARIZATION SUPPORT

The conferees direct the Deputy Assistant Secretary of Defense for Drug Enforcement Policy and Support and the Assistant Secretary of State, Bureau of International Narcotics and Law Enforcement Affairs to submit a joint report to Congress within thirty days of enactment of the accompanying Act assessing the cost effectiveness of using refurbished A–10 aircraft (currently in storage at AMARC) for the Department of State's coca eradication mission in Colombia. This report shall also discuss the time saved in returning such upgraded aircraft to combat condition should they be needed, compared to the time to bring a storage aircraft to the same combat configuration, and assess the fiscal and operational impacts on the active A–10 combat force of such a transfer. The conferees agree that, if this report contains a joint recommendation to use these aircraft for this mission, $5,000,000 shall be made available from the sums provided under ''Counter-drug Intelligence and Infrastructure Support'' only for this purpose, in accordance with the directive of the House.

FORWARD OPERATING LOCATIONS

The conferees agree to a reduction of $27,000,000 to the budget request for Forward Operating Locations (FOLs). The conferees agree to provide $10,800,000 to be transferred to Military Construction, Air Force for planning and design of FOLs. The conferees also agree to provide $5,000,000 for transfer to Operation and Maintenance, Air Force only to be used for improvement and repair at the Curacao, Aruba, and Ecuador FOLs. Although the conferees are aware that the Commander in Chief of the U.S. Southern Command recommends that construction at these locations begin as soon as possible, the conferees are concerned that no formal permanent binding long-term agreements for the use of these facilities have been executed between any of the FOL host nations and the United States. Funding beyond that needed for planning and design activities is premature without such agreement in place. The conferees direct that future requests for Military Construction funding for these projects be contained in budget requests for Military Construction.

OFFICE OF THE INSPECTOR GENERAL

The conferees agree to provide $137,544,000 for the Office of the Inspector General. Of this amount, $136,244,000 shall be for operation and maintenance activities and $1,300,000 shall be for procurement.

EMERGENCY AND EXTRAORDINARY EXPENSES

The conferees have agreed to increase the amount made available for emergencies and extraordinary expenses to $700,000 and direct the Inspector General to submit an expenditures report in compliance with the requirements contained in section 127 of Title 10, United States Code.

TITLE VII—RELATED AGENCIES

The conferees agree to the following amounts for Related Agencies:

[In thousands of dollars]

	Budget	House	Senate	Conference
Intelligence Community Management Account	149,415	144,415	149,415	158,015
Central Intelligence Agency Retirement and Disability System Fund	209,100	209,100	209,100	209,100
Payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund	15,000	15,000	35,000	35,000
National Security Education Trust Fund	8,000	8,000	8,000	8,000

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

Details of the adjustments to this account are addressed in the classified annex accompanying this report.

TITLE VIII—GENERAL PROVISIONS

The conference agreement incorporates general provisions of the House and Senate versions of the bill which were not amended. Those general provisions that were amended in conference follow:

The conferees included a general provision (Section 8005) which amends language to provide authority to the Department to transfer not more than $1.6 billion of working capital funds or funds made available in this Act.

The conferees included a general provision (Section 8008) which amends language authorizing multi-year procurements.

The conferees included a general provision (Section 8034) which amends language that governs the activities of defense federally funded research and development centers (FFRDCs).

The conferees included a general provision (Section 8044) which amends language regarding funds available in the Department of Defense Overseas Military Facility Investment Recovery Account.

The conferees included a general provision (Section 8058) which amends language recommending rescissions. The rescissions agreed to are:

	Conference
FISCAL YEAR 1998	
Other Procurement, Navy:	
Combat Survivor Evader Radio	−$2,167,000
Aircraft Procurement, Air Force:	
F–16 savings	−4,000,000
C–130 Avionics Modernization Program	−1,800,000
JSTARS contract savings	−10,000,000
FISCAL YEAR 1999	
Other Procurement, Army:	
CSEL	−13,700,000
Aircraft Procurement, Navy:	
Universal Jet Air Start Unit	−41,450,000
Under the heading, Shipbuilding and Conversion, Navy:	
New Attack Submarine overhead savings	−32,400,000
CVN–69 Overhaul contract savings	−11,400,000
Other Procurement, Navy:	
Combat Survivor Evader Radio	−6,384,000
MK–12 IFF contract savings	−1,900,000
FFG upgrades	−5,450,000
Aircraft Procurement, Air Force:	
F–16 savings	−3,000,000
C–130 Avionics Modernization Program	−2,700,000
T–38 Avionics Upgrade Program	−10,000,000
C–17 prior year savings	−7,300,000
B–1 prior year savings	−6,729,000
Missile Procurement, Air Force:	
Classified program	−130,000,000
Research, Development, Test and Evaluation, Army:	
Mines	−4,000,000
Force XXI initiative	−1,400,000
Research, Development, Test and Evaluation, Navy:	
AV–8B Mods, termination of life extension program	−11,000,000
NTACMS	−3,900,000
Research, Development, Test and Evaluation, Air Force:	
GBS reduced receiver suites	−5,300,000
B–2 JASSM savings	−7,000,000
B–1B prior year savings	−3,600,000
Research, Development, Test and Evaluation, Defense-Wide:	
ACTD	−7,000,000
Computing Systems and Communications	−5,000,000
Tactical Technology	−7,000,000
Sensors and Guidance	−4,450,000

The conferees included a general provision (Section 8079) which amends House language that allows for the transfer of funds to provide services and support to organizations and activities outside of the Department, if they are incidental to training.

The conferees included a general provision (Section 8082) which amends language to reflect the latest ship cost adjustment proposed by the Navy.

The conferees included a general provision which amends (Sectiuon 8093) language concerning Buy American requirements to address shipyard cranes.

The conferees included a general provision (Section 8100) which amends Senate language to reduce funding available to the Operation and Maintenance accounts by $123,200,000 due to civilian personnel underexecution.

The Conferees included a general provision (Section 8103) which amends House language to repair and upgrade the road providing access to the National Training Center.

The Conferees included a general provision (Section 8105) which amends House language concerning restrictions on the procurement of main propulsion engines and propulsors for the ADC(X) class of ships.

The Conferees included a general provision (Section 8107) which amends House language earmarking funds in support of the B–52 force structure.

The Conferees included a general provision (Section 8111) which amends House language to appropriate funds only for Weapons of Mass Destruction Domestic (WMD) Preparedness.

The conference agreement provides an additional $35,000,000 to enhance efforts underway within the Department to develop a comprehensive and integrated domestic emergency response capability against terrorist attacks using weapons of mass destruction. The conference agreement also includes bill language specifying certain expenditures as amended by the conferees. These funds are provided, as follows:

Military Support Detachment (Light).—To provide the training and preliminary equipment issue to field an initial operating capability for traditional drilling Military Support Detachments (Light).

Appropriation	*Amount*
National Guard Personnel, Army	$2,000,000
National Guard Personnel, Air Force	450,000
Operation and Maintenance, Army	12,180,000

Additional Training/Exercises/Interagency Integration and Interoperability.—To enhance the training, organization, and support of DoD response forces to prepare for and respond to WMD terrorism, and enhance interoperability and connectivity between local, state, and federal interagency WMD response forces.

Appropriation	*Amount*
Reserve Personnel, Army	$2,000,000
Operation and Maintenance, Army	12,320,000
Research, Development, Test and Evaluation, Army	6,000,000

The Conferees included a general provision (Section 8114) which amends House language that prohibits the Department of Defense from using funds provided in Department of Defense Appropriations Acts for the repair and maintenance of military family housing, and requires a review of Department of Defense practices by the DoD Office of the Inspector General.

The Conferees included a general provision (Section 8115) which amends House language which requires the Secretary of Defense to report on Advanced Concept Technology Demonstrations (ACTDs) prior to the obligation of funds, prohibits the further obligation of fiscal year 1999 funds for Line-of-Sight Anti-Tank (LOSAT) and provides that of funds available under the heading, ''Research, Development, Test and Evaluation, Defense-Wide'' in Public Law 105–262, $10,027,000 is only available for the Air Defense Surface to Air Missile.

The conferees included a general provision (Section 8116) which amends House language which provides that none of the funds under the heading, ''Research, Development, Test and Evaluation, Defense-Wide'' in Public Law 105–262 are available for the Medium Extended Air Defense System.

The conferees included a general provision (Section 8121) which amends House language to enhance DoD oversight of information technology systems.

The conferees included a general provision (Section 8124) which amends House language that permits competitive auction of communication frequencies.

The new subsection (subsection (c)) reaffirms Congressional intent, as reflected in section 337(d)(4) of the Balanced Budget Act of 1997, that the FCC must ensure that the spectrum to be used for public safety is protected from interference. Section 337(a)(1) of that Act directed the FCC to allocate 24 megahertz for public safety uses, while the current legislation would accelerate the timing of the auction of 36 megahertz of neighboring spectrum which had been allocated in section 337(d)(2) of the 1997 Act. Because the public safety spectrum is adjacent to the spectrum now being auctioned, it is important to affirm that the interference directive in section 337(d) is not being superceded by the current legislation.

The Congress, in the Balanced Budget Act of 1997, required that public safety services be permitted to operate free from interference from neighboring spectrum. This subsection will reiterate, along with the statutory direction that the auction will be accelerated, that such protection for public safety spectrum must be maintained.

The conferees included a general provision (Section 8126) which amends House language prohibiting the transfer of armor piercing ammunition to any non-governmental entity.

The conferees included a general provision (Section 8127) which amends Senate language to provide for the waiver of payments by the National Guard for the use of equipment by certain non-profit organizations.

The conferees included a general provision (Section 8129) which amends Senate language that reflects the amounts appropriated for military personnel pay and retirement reform in the Fiscal Year 1999 Supplemental Appropriations Act.

The conferees included a general provision (Section 8130) which amends Senate language to limit the funding that can be obligated through indefinite delivery/indefinite quantity environmental contracts.

The conferees included a general provision (Section 8133) as proposed by the Senate and amended, providing the Secretary of the Air Force the authority to lease aircraft for operational support purposes. The conferees direct that aircraft leased under this pilot program shall be commercially available, serving similar purposes in the commercial marketplace. The conferees believe that the Department of Defense could realize significant operations and support savings through employing the fewest aircraft types of a common configuration. In that regard, the Secretary shall make every attempt to lease aircraft of the type and configuration common to the DoD inventory and use accompanying logistics support mechanisms already in place. Modifications to these aircraft should be kept to a minimum to allow timely conversion to a marketable, civilian configuration, at minimum cost, if the aircraft are subsequently replaced.

The conferees included a new general provision (Section 8134) which reduces funding

for Operation and Maintenance, Air Force to reflect unobligated amounts available in Public Law 106–31 for Readiness/Munitions.

The conferees included a general provision (Section 8136) which amends Senate language on the U.S. Atlantic Command joint experimentation program.

The conferees included a general provision (Section 8137) which amends Senate language concerning the American Red Cross for Armed Forces Emergency Services.

The conferees included a new general provision (Section 8143) which provides funds for the United Service Organizations (USO).

The conferees included a new general provision (Section 8144) which directs the Department of the Army to submit a report to the Congress detailing its efforts to reduce the costs the Abrams M1A2 Tank Upgrade program before initiating a multi-year procurement contract.

The conferees included a new general provision (Section 8145) which conditions the new C–17 multiyear authority provided in this Act upon certification by the Secretary of the Air Force that the average unit flyaway price of C–17 aircraft in a new multiyear contract will be at least twenty-five percent less than the average unit flyaway price of aircraft in the current multiyear contract.

The conferees included a new general provision (Section 8146) which establishes a transfer account for additional F–22 test aircraft and advanced procurement.

The conferees included a new general provision (Section 8147) which provides $300,000,000 for F–22 termination liability.

The conferees included a new general provision (Section 8148) which provides a grant for evaluating a standards and performance based academic model at DoD schools.

The conferees included a new general provision (Section 8149) which prohibits the payment of environmental fines or penalties unless specifically authorized by law.

The conferees included a new general provision (Section 8150) which amends Section 8145 of the fiscal year 1999 Department of Defense Appropriations Act concerning the demolition of buildings at the former Norton Air Force Base.

The conferees included a new general provision (Section 8151) which provides a grant for public schools with a high concentration of special needs military dependents.

The conferees included a new general provision (Section 8152) which makes a technical correction regarding the transfer of Military Construction funds appropriated in the fiscal year 1999 Emergency Supplemental Appropriations Act.

The conferees included a new general provision (Section 8153) which amends Section 127 of the fiscal year 1995 Military Construction Appropriations Act regarding the conveyance of Navy Reserve Center, Seattle, Washington.

The conferees included a new general provision (Section 8154) which permits the Army to use Operation and Maintenance, Army funds for remediation activities at Camp Edwards.

The conferees included a new general provision (Section 8155) which allows the Air Force to convey surplus relocatable housing.

The conferees included a new general provision (Section 8156) which allows the Department of Defense to adjust the cost-share for the Arrow Deployability Program.

The conferees included a new general provision (Section 8157) that directs the Department of Defense to identify additional liabilities and requests for equitable adjustments and provide a report to the congressional defense committees on the extent of health care contract claims.

The conferees included a new general provision (Section 8158) which provides funds for a community retraining, reinvestment and manufacturing initiative.

The conferees have included a new general provision (Section 8159) which directs the Secretary of Defense to submit a report on the management of the chemical weapons demilitarization program.

The conferees included a new general provision (Section 8160) regarding fiscal year 2000 military construction projects.

The conferees included a new general prevision (Section 8161) which allows the Secretary of Defense to treat the opening of the National D–Day Museum as an official event.

The conferees included a new general provision (Section 8162) which establishes the Dwight D. Eisenhower Memorial Commission.

The conferees included a new general provision (Section 8163) which allows the Secretary of the Air Force to accept contributions from the State of New York for the Rome Research Site.

The conferees included a new general provision (Section 8164) which is a technical correction related to funds provided in Public Law 105–277.

The conferees included a new general provision (Section 8165) requiring a report from the Secretary of Defense on the status and adequacy of planned expenditures for low density, high demand military assets.

The conferees included a new general provision (Section 8166) which provides funds for Chicago Public Schools for the conversion and expansion of the former Eighth Regiment National Guard Armory.

The conferees included a new general provision (Section 8167) which provides $10,000,000 for an aviation support facility for the Army National Guard.

The conferees included a new provision (Section 8168), as proposed by the Senate, and amended by the House, which provides for the Brooks Air Force Base Demonstration Project known as the ''Base Efficiency Project''. Implementation of this provision is delayed until June 15, 2000. It is the conferees' intention that the Committees on Appropriations conduct a thorough review to ensure that this legislation is in the best interest of the Department of Defense and does not prejudice the Base Realignment and Closure process.

The conferees included a new general provision (Section 8169) which reduces the amounts provided in title II of the conference report for depot level maintenance and repair by $400,000,000, and directs that $400,000,000 of the funds appropriated in section 2008 of title II, chapter 3 of Public Law 106–31 (the fiscal year 1999 Emergency Supplemental Appropriations Act) that remain unobligated be made available to fund these requirements.

The conferees included a new general provision (Section 8170) which reduces the amounts provided in title II of the conference report for spare and repair parts and associated logistical support by $550,000,000, and directs that $550,000,000 of the funds appropriated in section 2007 of title II, chapter 3 of Public Law 106–31 that remain unobligated be made available to fund these requirements.

The conferees included a new general provision (Section 8171) which reduces the amounts provided in title II of the conference report for base operations support costs by $100,000,000, and directs that $100,000,000 of the funds appropriated in section 2011 of title II, chapter 3 of Public Law 106–31 that remain obligated be made available to fund these requirements.

The conferees included a new general provision (Section 8172) which reduces funding for various accounts in the title III of the conference report for procurement of munitions, taking into account various munitions procurements which will be accomplished with funds provided in title II, chapter 3 of Public Law 106–31. These reductions are to be allocated as follows, consistent with the increased funding for these items which was provided in Public Law 106–31 and since has been designated as emergency appropriations by the President:

Weapons Procurement, Navy—Tomahawk

Procurement of Ammunition, Navy and Marine Corps—General Purpose Bombs, JDAM

Aircraft Procurement, Air Force—ALE–50

Procurement of Ammunition, Air Force—General Purpose Bombs, JDAM

The conferees included a new general provision (Section 8173) which reduces operation and maintenance funding, and provides emergency funding for the same activities.

The conferees included a new general provision (Section 8174) which prohibits the use of any funds in this bill for the American Heritage Rivers Initiative.

The conferees included a new general provision (Section 8175) to adjust the payment of progress payments.

The conferees included a new general provision (Section 8176) to adjust payment procedures and policies.

The conferees included a new title IX, as proposed by the Senate (Senate title X) as amended, relating to sanctions on India and Pakistan.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 1999	$250,520,548
Budget estimates of new (obligational) authority, fiscal year 2000	263,265,959
House bill, fiscal year 2000	268,661,503
Senate bill, fiscal year 2000	264,693,100
Conference agreement, fiscal year 2000	267,795,360
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1999	+17,274,812
Budget estimates of new (obligational) authority, fiscal year 2000	+4,529,401
House bill, fiscal year 2000	−866,143
Senate bill, fiscal year 2000	+3,102,260

JERRY LEWIS,
C.W. BILL YOUNG,
JOE SKEEN,
DAVID L. HOBSON,
HENRY BONILLA,
GEORGE R. NETHERCUTT, JR.,
ERNEST J. ISTOOK, JR.,
RANDY ''DUKE'' CUNNINGHAM,

JAY DICKEY,
RODNEY P. FRELINGHUYSEN,
JOHN P. MURTHA,
NORMAN D. DICKS,
MARTIN OLAV SABO,
JULIAN C. DIXON,
PETER J. VISCLOSKY,
JAMES P. MORAN,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
RICHARD C. SHELBY,
JUDD GREGG,
KAY BAILEY HUTCHISON,
DANIEL K. INOUYE,
ERNEST F. HOLLINGS,
ROBERT C. BYRD,
PATRICK J. LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
BYRON L. DORGAN,
RICHARD J. DURBIN,
Managers on the Part of the Senate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. UNDERWOOD) to revise and extend their remarks and include extraneous material:)

Mr. UNDERWOOD, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. NETHERCUTT) to revise and extend their remarks and include extraneous material:)

Mr. NETHERCUTT, for 5 minutes, today.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 40 minutes a.m.), under its previous order, the House adjourned until Tuesday, October 12, 1999, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4711. A communication from the President of the United States, transmitting a report to Congress, consistent with the War Powers Resolution, regarding U.S. military forces in East Timor; (H. Doc. No. 106–141); to the Committee on International Relations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEWIS of California: Committee of Conference. Conference report on H.R. 2561. A bill making appropriations for the Department of Defense for the fiscal year ending September 30,2000, and for other purposes (Rept. 106–371). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Commerce discharged. H.R. 354 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged. H.R. 1858 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged. H.R. 2130 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

267. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 205 memorializing the United States Congress to amend federal law relating to the compensation of retired military personnel to permit full, concurrent receipt of military longevity pay and service-connected disability compensation pay; to the Committee on Armed Services.

268. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 157 memorializing the United States Congress to take such actions as are necessary to ensure that the United States military service personnel under the age of twenty-one are not sent to participate in any combat operations carried out by ground troops in Yugoslavia; to the Committee on Armed Services.

269. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 215 memorializing the U.S. Congress to condemn and reject an article in the July 1998 Psychological Association (Vol. 124, No. 1, pp. 22–53) which suggests that sexual relations between adults and children may not always be harmful to children; to the Committee on Education and the Workforce.

270. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 185 memorializing the United States Congress to restore budget cuts to the U.S. Geological Survey's water resources programs, particularly the State-Federal Cooperative program; to the Committee on Resources.

271. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 159 memorializing the United States Congress to support the efforts of United States Senators MARY LANDRIEU and JOHN BREAUX and United States Representatives CHRIS JOHN, BILLY TAUZIN, JIM MCCRERY, WILLIAM JEFFERSON, and JOHN COOKSEY to enact the Conservation and Reinvestment Act of 1999; to the Committee on Resources.

272. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 107 memorializing the United States Congress to amend the Federal Migratory Bird Conservation Act to authorize certain states to issue temporary federal duck stamp privileges through electronic license issuance systems; to the Committee on Resources.

273. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 216 memorializing the United States Congress to take such actions as are necessary to adequately fund and staff the DeRidder Automated Flight Service Station; to the Committee on Transportation and Infrastructure.

274. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 134 memorializing the United States Congress to enact legislation to allow Louisiana to impose requirements on the storage and transportation of hazardous materials by rail car that are more stringent than federal requirements; to the Committee on Transportation and Infrastructure.

275. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 197 memorializing the Congress of the United States to preserve the right of state and local govenments to operate pension plans for their employees in the federal social security system and to develop legislation for responsible reform of the federal social security system that does not include mandatory participation by employees of state and local governements; to the Committee on Ways and Means.

276. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 128 memorializing the United States Congress to enact the Estuary Habitat Restoration Partnership Act; jointly to the Committees on Transportation and Infrastructure and Resources.

ADDITIONAL SPONSORS

Under clause 7 of the rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Ms. BERKLEY.

H.R. 809: Mr. MCHUGH.

H.R. 2822: Mr. GOODE.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 6, October 5, 1999, by Mr. BONIOR on House Resolution 301 has been signed by the following Members: David E. Bonior, Robert A. Borski, Robert A. Brady, Gene Green, Robert E. Wise, Jr., James P. McGovern, Eliot L. Engel, Michael E. Capuano, Carolyn B. Maloney, Anna G. Eshoo, Albert Russell Wynn, Rosa L. DeLauro, Sam Gejdenson, John Elias Baldacci, Martin Frost, Ciro D. Rodriguez, Eddie Bernice Johnson, Anthony D. Weiner, Nancy Pelosi, Tom Lantos, Steny H. Hoyer, Jim McDermott, Tammy Baldwin, Charles A. Gonzalez, Max Sandlin, Alcee L. Hastings, Julian C. Dixon, John B. Larson, Thomas M. Barrett, Joseph Crowley, Ron Klink, William (Bill) Clay, Lynn C. Woolsey, Barbara Lee, Donald M. Payne, Danny K. Davis, Nydia M. Velázquez, Bruce F. Vento, Joseph M. Hoeffel, Zoe Lofgren, Robert A. Weygand, Rush D. Holt, Bob Clement, Earl F. Hilliard, Juanita Millender-McDonald, James E. Clyburn, Bennie G. Thompson, Sanford D. Bishop, Jr., Bobby L. Rush, Stephanie Tubbs Jones, Karen McCarthy, Eva M. Clayton, Charles B. Rangel, Jose E. Serrano, Paul E. Kanjorski, Michael P. Forbes, Jay Inslee, Ted Strickland, Patsy T. Mink, Brian Baird, Thomas C. Sawyer, Shelley Berkley, Janice D. Schakowsky, Bernard Sanders, Carolyn C. Kilpatrick, Major R. Owens, Robert T. Matsui, Maurice D. Hinchey, Carrie P. Meek, Corrine Brown, Thomas H. Allen, John J. LaFalce, Bart Gordon, Jerrold Nadler, John W. Olver, John F. Tierney, Louise McIntosh Slaughter, Nick J. Rahall II, Michael R. McNulty, Karen L. Thurman, Maxine Waters, Gerald D. Kleczka, Ed Pastor, Frank Pallone, Jr., Bill Pascrell, Jr. William D. Delahunt, Dale E. Kildee, Robert E. Andrews, George Miller, Ron Kind, Dennis Moore, Ronnie Shows, Nita M. Lowey, Jesse L. Jackson, Jr., Tom Udall, Xavier Becerra, Patrick J. Kennedy, Jerry F. Costello, Lane Evans, Fortney Pete Stark, Peter A. DeFazio, William J. Coyne, Martin T. Meehan, Henry A. Waxman, Robert Wexler, John Conyers, Jr., Lynn N. Rivers, Bill Luther, Sherrod Brown, Barney Frank, Debbie Stabenow, Melvin L. Watt, David D. Phelps, Brad Sherman, James L. Oberstar, Darlene

Hooley, James H. Maloney, Sheila Jackson-Lee, Elijah E. Cummings, Chaka Fattah, Nick Lampson, Marcy Kaptur, Edolphus Towns, Norman D. Dicks, James P. Moran, Robert Menendez, Rod R. Blagojevich, Edward J. Markey, John Lewis, Julia Carson, Frank Mascara, Carolyn McCarthy, Martin Olav Sabo, Dennis J. Kucinich, Earl Blumenauer, Benjamin L. Cardin, Lucille Roybal-Allard, Matthew G. Martinez, Harold E. Ford, Jr., Chet Edwards, Bob Filner, Loretta Sánchez, Grace F. Napolitano, Gregory W. Meeks, Vic Snyder, Sander M. Levin, Earl Pomeroy, Luis V. Gutierrez, John D. Dingell, Gary L. Ackerman, Richard A. Gephardt, David E. Price, William O. Lipinski, Ike Skelton, Steven R. Rothman, Tony P. Hall, David Wu, Cynthia A. McKinney, Bart Stupak, James A. Barcia, and Howard L. Berman.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 4 by Ms. DEGETTE on House Resolution 192: David Wu.