CONGRESSIONAL RECORD—HOUSE

September 25, 2001

Just last week we found $18 billion to bail out the airlines. The week before that we allocated $40 billion additional defense funds, but not one of those pennies is allocated to solve either one of these problems. Does somebody want to tell me that is right? This defense bill is more famous for what it does not do. It does not balance the budget. As of the end of August, even before the tragedy on September 11, our Nation was $31 billion in the red, again. It does not build ships. At the rate we are going, we are losing 15 ships a year, that is the impact, and headed towards a 200 ship fleet. I say to my colleagues, not the 400-ship fleet of just a few years ago and not the 600-ship fleet of the Reagan years. So someone tell me where the heck all the money goes and why we cannot set better priorities.

So for a lot of reasons, on behalf of my 405 colleagues who supported Medicare subvention last year, and who only asked for a fair up and down vote on that issue so that we can fulfill the promise to our Nation’s military retirees, I ask my colleagues to oppose this rule.

Mr. FROST. Mr. Speaker, we have no additional speakers. I urge adoption of the rule, and I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move to the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o’clock and 57 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1747

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. McHUGH) at 5 o’clock and 47 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,

Hon. J. Dennis Hastert,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representa-
tives, the Clerk received the following message from the Secretary of the Senate on September 25, 2001 at 4:11 p.m.

That the Senate PASSED without amendment H.J. Res. 65.

With best wishes, I am
Sincerely,
Jeff Trandahl, Clerk of the House.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

The SPEAKER pro tempore. Pursuant to House Resolution 246 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2586.

☐ 1748

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, with Mrs. Biggert in the chair.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, September 20, 2001, proceedings pursuant to the order of the House of Wednesday, September 19 had been completed.

Pursuant to House Resolution 246, no further amendment to the committee amendment in the nature of a substitute is in order, except amendments printed in House Report 207–218.

Amendments printed in the report may be considered only in the order printed, may be offered only by a Member designated in the report, shall be considered read, and shall not be subject to a demand for a division of the question.

It is now in order to consider amendment No. 1 printed in House Report 107–218.

AMENDMENT NO. 1 OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. Stump:
At the end of subtitle A of title I (page 18, after line 25), insert the following new section:

SEC. 3. ADDITIONAL AMOUNT FOR SHIPBUILDING AND CONVERSION, NAVY.

(a) INCREASE IN SCN AMOUNT.—The amount provided in section 102(a)(3) for shipbuilding and conversion for the Navy is hereby increased by $57,100,000, to be available for the U.S.S. Eisenhower (CVN–69) Refueling Complex Overhaul program.

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by $57,100,000, to be derived from amounts for consulting services.

Strike section 121 (page 20, line 2, through page 21, line 2).

At the end of subtitle B of title II (page 27, after line 24), insert the following new sections:

SEC. 4. COST LIMITATION APPLICABLE TO F–22 AIRCRAFT PROGRAM ENGINEERING AND MANUFACTURING DEVELOPMENT.

Section 217(c)(3) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–54; 111 Stat. 1660) is amended by inserting ‘‘plus $250,000,000’’ after ‘‘and (2)’’.

SEC. 5. C–5 AIRCRAFT MODERNIZATION.

Amendment No. 1 offered by Mr. Stump:
In air force RDT&E AMOUNT.—The amount provided in section 201(5) for Research, Development, Test, and Evaluation for the Air Force is hereby increased by $30,000,000, to be available for aircraft re-engining and Avionics Modernization for the C–5 aircraft.

(b) OFFSET.—The amount provided in section 201(5) is hereby reduced by $30,000,000, to be derived from amounts for consulting services.

Strike section 331 (page 58, beginning on line 19) and insert the following:

SEC. 331. WORKFORCE REVIEW LIMITATIONS.

(a) LIMITATION FINDING GAO REPORT.—No more than a 50 percent of the workforce reviews planned during fiscal year 2002 may be initiated before the date that is the earlier of (1) May 1, 2002, or (2) the date on which the Comptroller General submits to Congress the report required by section 832 of the Fiscal Year 2001 National Defense Authorization Act (as enacted by Public Law 106–79; 114 Stat. 1654–221), regarding policies and procedures governing the transfer of commercial activities from Government personnel to Federal contractors.

(b) REQUIRED COST SAVINGS LEVEL FOR CHANGE.—(1) A commercial or industrial type function of the Department of Defense may not be changed to performance by the private sector as a result of a workforce review unless, as a result of the cost comparison examination required as part of the review that employed the most efficient organization process described in Office of Management and Budget Circular A–76 or any successor administrative regulation or policy, at least a 10-percent cost savings would be achieved by performance of the function by the private sector over the term of the contract.

(2) The cost savings requirement specified in paragraph (1) does not apply to any contracts for special studies and analyses, construction services, architectural services, engineering services, medical services, scientific and technical services related to (but not in support of) research and development, and depot-level maintenance and repair services.

(3) The Secretary of Defense may waive the cost savings requirement if—

(A) the written waiver is prepared by the Secretary of Defense, or the relevant Assistant Secretary or agency head; and

(B) the written waiver is accompanied by a detailed, documented justification that non-security interests are so compelling as to preclude compliance with the requirement for a cost comparison examination.

(c) WORKFORCE REVIEW DEFINED.—In this section, the term ‘‘workforce review’’ with respect to a function of the Department of Defense performed by Department of Defense civilian employees, means a review conducted under Office of Management and Budget Circular A–76 or any successor administrative regulation or policy.

Strike subtitle G of title III (page 71, beginning on line 12), and insert the Department of Defense Service Contracting Reform Act of 2001.

At the end of subtitle F of title III (page 71, after line 11), insert the following new section:
(f) The term "participating uniformed service" means—

(A) the term "Department of Defense re-

C. Establishment and purpose of Fund;

in paragraphs (1)(B) and (2)(B) by inserting "under the jurisdiction of the Secretary of Defense" after "uniformed services";

(c) The Secretary of Defense may enter

the Secretary of Defense after 

uniformed services".

SEC. 715. CLARIFICATIONS AND IMPROVEMENTS REGARDING THE DEPARTMENT OF DEFENSE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND.

(a) Clarification Regarding Coverage—Subsection (b) of section 1111 of title 10, United States Code, is amended to read as follows:

(b) Participation of Other Uniformed Services.—(1) Section 1111 of such title is further amended by adding at the end the following new subsection:

(2) The term 'eligible dependent' means a dependents described in section 1111(b)(3) who are medicare eligible, and eligible de-

(c) Amounts paid into the Fund under subsection (a) shall be paid from funds available for the health care programs of the participating uniformed services under the jurisdiction of the respective administering Secretaries.

(d) Limitation on Total Amount Contributed During a Fiscal Year.—Section 1116 of such title is further amended by adding at the end the following new subsection:

(e) No amount may be paid from the Fund under subsection (a) during a fiscal year beyond the amounts available for obligation during such fiscal year under section 1113.

(f) Technical Amendments.—(1) The head-

(g) Effective Date.—The amendments

made by this section shall take effect as if included in the enactment of chapter 56 of title 10, United States Code, is amended to read as follows:

(h) First Year Contributions.—With re-

(2) Section 1115(c)(1)(B) of such title is amended by inserting "in parenthesis before "other than for training")

(i) Effective Date.—The amendments


(j) First Year Contributions.—With re-

pect to contributions under section 1116(a) of title 10, United States Code, for the first year that the Department of Defense Medi-

care-Eligible Retiree Health Care Fund is established under chapter 56 of such title, if the Board of Actuaries is unable to execute its responsibilities with respect to such sec-

tion, the Secretary of Defense may make contributions under such section using methods and assumptions developed by the Comptroller General.

At the end of title X (page 307, after line 20), insert the following new sections:

SEC. 716. AMENDMENTS RELATING TO COMMIS-

S. Establishment and purpose of Fund; definitions; authority to enter into agreements.

(2) The item relating to section 1111 in the table of sections at the beginning of chapter 56 of such title is amended to read as follows:

"1111. Establishment and purpose of Fund; definitions; authority to enter into agreements".

SEC. 716. AMENDMENTS RELATING TO COMMIS-

sions may include amounts necessary for the ad-

ministration of such programs. Amounts so transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred. Upon a determination that all or part of the funds transferred from the Fund are necessary for purposes for which transferred, such amounts may be transferred back to the Fund. This transfer authority is in addition to any other transfer author-

ity that may be available to the Sec-

itary.

(2) A transfer from the Fund under para-

graph (1) may not be made after the end of the first fiscal year after the fiscal year that the appropriation is available for obligation. A transfer back to the Fund under paragraph (1) may not be made after the end of the second fiscal year after the fiscal year that the appropriation to which the funds were originally transferred is available for obligation.

(d) The Secretary shall, by regu-

lation establish the method or methods for calculating amounts to be transferred under this subsection. Such amounts may be based in whole or in part on a propor-
tionate share of the volume (measured as the Secretary determines appropriate) of health care services provided or paid for under Department of Defense retiree health care programs for beneficiaries under those programs who are medicare-eligible in relation to the total volume of health care services provided or paid for under Department of Defense health care programs.

(e) The regulations issued by the Sec-

etary under subsection (c) shall be trans-

ferred to the Comptroller General not later than 30 days after receiving such regu-

lations, report to the Secretary of Defense and Congress on the adequacy and appropriateness of the regulations.

(5) If the Secretary enters into an agreement with another administering Secretary pursuant to section 1111(c), the Secretary of Defense may take actions comparable to those described in subsections (c), (d), and (e) to effect comparable activities in relation to the beneficiaries and programs of the other participating uniformed service.

(g) Source of Funds for Monthly Ac-

rable to the beneficiaries and programs of the other participating uniformed service.

(h) Use of Funds for Monthly Ac-

1111 of such title is further amended—

(1) in subsection (a)(2)(B) (as amended by subsection (b)(7)), by striking the sentence beginning "Amounts paid into": and

(2) by adding at the end the following new subsection:

(3) Section 1115(c)(1)(B) of such title is amended by inserting "in parenthesis before "other than for training")

(2) By striking "not later than 30 days after receiving the regulation and not later than 30 days after receiving the regulations, report to the Secretary of Defense and Congress on the adequacy and appropriateness of the regulations.

SEC. 716. AMENDMENTS RELATING TO COMMIS-

sion, the Secretary of Defense may take actions comparable to those described in subsections (c), (d), and (e) to effect comparable activities in relation to the beneficiaries and programs of the other participating uniformed service.

(g) Source of Funds for Monthly Ac-

rable to the beneficiaries and programs of the other participating uniformed service.

(h) Use of Funds for Monthly Ac-

to the Secretary under subsection (d) shall be provided to the Secretaries of the Defense.

(3) Section 1115 of such title (as amended by this section) is further amended by adding at the end the following new subsection:

(4) Amounts paid into the Fund pursuant to section 1111(c) shall be paid from funds available for the health care programs of the participating uniformed services under the jurisdiction of the respective administering Secretaries.

(e) Limitation on Total Amount Contributed During a Fiscal Year.—Section 1116 of such title is further amended by adding at the end the following new subsection:

(2) Section 1115(c)(1)(B) of such title is amended by inserting "in parenthesis before "other than for training")

SEC. 716. AMENDMENTS RELATING TO COMMIS-

sions may include amounts necessary for the ad-

ministration of such programs. Amounts so transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred. Upon a determination that all or part of the funds transferred from the Fund are necessary for purposes for which transferred, such amounts may be transferred back to the Fund. This transfer authority is in addition to any other transfer authority that may be available to the Sec-

itary.

(2) A transfer from the Fund under para-

graph (1) may not be made after the end of the second fiscal year after the fiscal year that the appropriation is available for obligation. A transfer back to the Fund under paragraph (1) may not be made after the end of the second fiscal year after the fiscal year that the appropriation to which the funds were originally transferred is available for obligation.

(d) The Secretary shall, by regu-


tions under section 1111(c), the Secretary of Defense may take actions comparable to those described in subsections (c), (d), and (e) to effect comparable activities in relation to the beneficiaries and programs of the other participating uniformed service.

(g) Source of Funds for Monthly Ac-

rable to the beneficiaries and programs of the other participating uniformed service.

(h) Use of Funds for Monthly Ac-

ences to the Fund on behalf of the members of the uniformed service under the jurisdiction of the Secretary of Defense (as enacted into law by Public Law 106-388; 114 Stat. 164A-121).


(b) Termination of Commission.—Sub-

section (g) of such section is amended by striking "30 days" and inserting "60 days".
SEC. 3304. EXPEDITED IMPLEMENTATION OF AUTHORITY TO DISPOSE OF COBALT FROM NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORIZED DURING FISCAL YEAR 2002—(1) in section 3005 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 98d note) is amended by striking “fiscal year 2001” and inserting “the two-fiscal year period ending September 30, 2003”.

(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1) Subsection (b)(1) of such section is amended by adding at the end the following sentence: “The total quantity of cobalt disposed of under such subsection during fiscal year 2002 may not exceed 700,000 pounds.”.

The CHAIRMAN. Pursuant to House Resolution 292 (H.Res. 292) of the gentleman from Arizona (Mr. STUMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

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

The amendment that I offer at this point in the bill has been developed in consultation with the gentleman from Missouri (Mr. SKEighton), the chairman of the committee, and the gentleman from Arizona (Mr. STUMP), the vice chairman of the House Select Committee on Intelligence for a coloquy regarding section 121 of the bill. I yield myself such time as I may consume.

As Members are aware, we did not receive the administration’s amended budget proposal for the Department of Defense until after the July 4 break. Details regarding the submission and backup justification materials continued to come into the committee throughout the month of July and even into August. However, the gentleman from Missouri (Mr. SKEighton) and I determined that in order to get the defense bill to the floor this month, the committee needed to get through the markup before the August district period. The committee compromised what would normally be a 3-month deliberation into less than a month, but strived to accomplish the committee’s usual comprehensive work product. Unfortunately, the reality of moving so quickly while greater levels of detail kept arriving from the administration, inevitably necessitated that a variety of changes be made to the bill based on that information.

Of the provisions are more technical than others but, again, all have been worked out in consultation with the gentleman from Missouri (Mr. SKEighton), and I urge my colleagues to support the amendment.

Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I claim the time in opposition, and I yield myself such time as I may consume.

Madam Chairman, one might call this a “cats and dogs” amendment. In this bill, as in every bill, there are minor housekeeping matters and new ideas and agreements that don’t require their own specific amendment; and the gentleman from Arizona (Mr. STUMP), the chairman of the committee, and I have rounded up the strays and now present them on bloc. I have worked with the chairman to resolve these items I support all of them, and I ask the Members to join us in the passage of this amendment.

Madam Chairman, I reserve the balance of my time.

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

I rise to engage the gentleman from Nebraska (Mr. BEREUTER), the vice chairman of the House Select Committee on Intelligence, in a colloquy on space launch.

Madam Chairman, I yield to the gentleman from Nebraska (Mr. BEREUTER), the vice chairman of the House Select Committee on Intelligence for a colloquy regarding section 121 of the bill.

Mr. BEREUTER. Madam Chairman, I thank the gentleman for yielding.

The gentleman from Florida (Mr. GOSS), the chairman of the Permanent Select Committee on Intelligence, and I appreciate the willingness of the gentleman from Arizona (Mr. STUMP), the chairman of the committee, to reach common ground on the issue of responsibility for contracts on defense space launches. We are particularly grateful that he has agreed with our amendment to remove section 121 from the bill.

As the gentleman knows, the House Permanent Select Committee on Intelligence included a provision in the fiscal year 2001 intelligence authorization bill that would encourage the National Reconnaissance Office to have greater input with respect to contracting related to the launch of national reconnaissance payloads. There have been
positive developments from the introduction of this language in last year’s intelligence bill, even though that language was removed by the other body prior to final passage. Since the beginning of 2001, the U.S. Air Force has been more forthcoming with the NRO on contracting matters, and this trend needs to be encouraged.

Mr. STUMP. Madam Chairman, reclaiming my time, it is my understanding that the House Select Committee on Intelligence does not plan to adopt any additional space launch contracting provisions in the fiscal year 2002 intelligence authorization bill; is that correct?

Mr. BEREUTER. Madam Chairman, the chairman’s understanding of our position is correct.

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

Mr. SHELTON. Madam Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Madam Chairman, I rise to engage the gentleman from Arizona (Mr. STUMP), the chairman of the committee, in a colloquy. Madam Chairman, I appreciate the gentleman’s willingness to discuss an issue that takes on even more significance in light of the attacks on September 11, and that is computer cybersecurity. I had proposed an amendment to provide $2 million to the Secretary of Defense in order to assist the Department of Defense in ensuring that computers and computer-related products that the Department purchases from the commercial sector meet the highest level of national security and information security requirements. Unfortunately, my amendment was not ruled in order. This is a very important topic to me, and I hope to have the chairman’s support as I continue to discuss and promote the need for information assurance within the Department of Defense.

Mr. STUMP. Madam Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Arizona.

Mr. STUMP. Madam Chairman, the gentleman raises a very important issue. In this day and age, information assurance and security of the Department’s computers is vital. Our national defense relies on it. I assure the gentleman that I will continue to work with the chairman on this matter.

Madam Chairman, I am pleased to yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Chairman, I thank the gentleman for yielding me this time. I would like to speak in support of the manager’s amendment, but I would like to talk briefly about part of that amendment that came from the heart of West Virginia.

The day after the tragedy on September 11, the eighth grade class of Moorefield Middle School, Mr. Sisler’s class, got together and talked about what they could do to help. One of the girls in the class said, I would like to give some money to rebuild the Pentagon. So we engaged in a conversation; and what we came up with was a specific bill, part of this amendment, that would allow children and adults throughout the country to specifically donate to the Department of Defense to create a fund to rebuild and reconstruct our Pentagon. That is part of this manager’s amendment.

It is with great pride that I offer this from the Moorefield Middle School children, from the hearts of West Virginia to the hearts of America; and I thank the gentleman for letting me be a part of this.

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

Mr. STUMP. Madam Chairman, I am pleased to yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Madam Chairman, I thank the gentleman for yielding me this time.

I rise today in support of the manager’s amendment of the gentleman from Arizona (Mr. STUMP). This amendment contains $57.1 million to complete the funding required for the reformulation of the U.S.S. Eisenhower and will help to ensure our carrier force is ready for war.

Madam Chairman, there is no question that we have underfunded our true defense needs for over 10 years. Now is the time to correct this. Now is the time to fully fund our carriers.

Who could have imagined just 2 weeks ago that we would require two carriers in the New York Harbor flying combat air patrols? Who could have imagined that just 2 weeks ago we would require four carriers in just one theater of operation?

Madam Chairman, H.R. 2586 is a start toward funding our military at adequate levels, but it is only a start. This amendment will rush critical funding not only to our carriers, but C-5 aircraft modernization. These are two critical areas that need our immediate attention, and the gentleman from Arizona’s amendment does just that.

In closing, I encourage all Members of the House to vote in support of this critical amendment.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. STUMP).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House report 107–218.

AMENDMENT NO. 2 OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer an amendment.

THE CHAIRMAN. The Clerk will designate the amendment.
For those in the uniformed services who have died or were injured in the recent terrorist attacks, the services have a variety of decorations that may be awarded in recognition of their service, including the Purple Heart. However, appropriate medals or decorations have not been available to recognize the sacrifices of civilian employees of the Department of Defense who befall fates similar to those of their military counterparts.

In the 105th Congress, we realized the need to give proper recognition to U.S. civilians who were killed or wounded while serving in an official capacity with our Armed Forces. Public Law 105–261 required the Secretary of Defense to study the need for such awards. Subsequently, former Secretary of Defense William Cohen signed a letter to the Speaker of the House dated January 28, 2000, which stated that in situations that are "analogous to the circumstances wherein military members receive the Purple Heart, we will move forward to create an appropriate recognition for civilian nationals of the United States within the near future."

Unfortunately, nothing came to fruition during this 18 months, and DOD did not have an appropriate civilian award in place. I understand that now the Department is finally moving forward to establish an award appropriately recognizing civilians.

Many veterans’ organizations and military associations that believe the Purple Heart should remain an exclusive military decoration support the Department’s action. My amendment recognizes the role that civilians often play with their military colleagues side by side, and oftentimes are deployed to hostile areas in support of military operations. They are essential to support military operations worldwide, and it is right and just that we recognize their contributions and sacrifices on behalf of our Nation.

On September 20, the Deputy Secretary of Defense approved of a new defense of freedom medal for civilians of the Department of Defense who were killed or wounded as a result of hostile action. The defense of freedom medal, like the Purple Heart, will recognize the sacrifices of our civilian personnel. I urge the support of my colleagues. Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Madam Chairman, I rise in support of my friend and chairman, the gentleman from Arizona (Mr. STUMP). This amendment expresses the sense of Congress that the Secretary of Defense should move expeditiously to produce an award of a freedom medal to be awarded to civilians employed with the Department of Defense who are killed or wounded as a result of hostile action.

It also urges the Secretary of Defense to develop a comprehensive, uniform policy for the award of decorations to military and civilian personnel.
The text of the amendment is as follows:

Amendment No. 3 offered by Mr. TRAFICANT.

At the end of subtitle C of title X (page 271, after line 17), insert the following new section:

SEC. 374a. ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

"374a. Assignment of members to assist border patrol and customs.

(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

"(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

"(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States, to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

(b) REQUEST FOR ASSIGNMENT.—The assignment of members pursuant to the request of the Attorney General, the Secretary of the Treasury, or the United States Customs Service to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

(c) CONDITIONS OF USE.—(1) Whenever a request is made by the Attorney General or the Secretary of the Treasury to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

(d) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2004.

(e) TRAINING PROGRAM REQUIRED.—The Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting the enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

(f) REQUIREMENT FOR ASSIGNMENT.—(1) The assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) and the types of tasks to be performed by the members.

(g) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

(h) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2004.

(i) COMMISSION OF TRAINING PROGRAM.—The training required by subsection (b) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this section.

(j) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

"374a. Assignment of members to assist border patrol and customs.

The CHAIRMAN. Pursuant to House Resolution 246, the gentleman from Ohio (Mr. TRAFICANT) and a Member from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. TRAFICANT. Madam Chairman. I yield myself such time as I may consume.

Madam Chairman, 2 weeks ago a foreign force came across our borders and attempted to take away our domestic tranquility. In 1941, Japan attacked Pearl Harbor, a nation with evil intent, and their victims claimed were less than half of our three terrorist strikes, with no Nation coming forward to claim, if you will, that debacle.

We are not talking about the border between D.C. and Virginia, we are not talking about the border between Pennsylvania and Ohio, and we are not talking about only the Southwest borders of the United States. The two planes that struck the World Trade Center, those individuals came through Canada.

The Traficant amendment does not mandate anything at this point. It does not deal with illegal immigration. I think the Border Patrol is well capable of doing that. The Traficant amendment allows the President, Mr. Ridge, my friend and former neighbor, now in the Pentagon, in conjunction with the Secretary of the Treasury, and the U.S. Attorney General, to provide that support, land or air.

I say to this Congress again, if 300,000 illegal immigrants trying to find a better life can gain access to America, do not believe for one moment that a large contingent of people with evil intentions could not gain entry into America and continue to kill American citizens.

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

The CHAIRMAN. Who rises to control the time in opposition?

Mr. REYES. Madam Chairman, I rise in strong opposition to this amendment.

The CHAIRMAN. The gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

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

Madam Chairman, I want to, first of all, commend my colleague, the gentleman from Ohio (Mr. TRAFICANT). Year after year, he comes to the floor, out of sheer frustration with this recommendation.

I am here this afternoon, Madam Chair, because I spent a whole career on the border between the United States and Mexico. I know and understand the frustrations that we face as a country about controlling and doing a better job, and understanding and identifying and stopping those that are coming into this country. This arises perhaps out of frustration, making sure that we do a better job.

But this amendment is not a good idea. It was not a good idea 4 years ago, it was not a good idea last year, and it certainly is less of a good idea today, because just recently, President Bush activated 50,000 reservists. That tells us, it sends a very clear message that we do not have enough troops to go around.

These reservists that have been activated have been activated because we are about to go and make those accountable for the very acts that my colleague envisioned, the bombing and the terrible and tragic acts against the World Trade Center and against our own Pentagon.

Mr. ORTIZ. Madam Chairman, in opposition to the Traficant amendment.
Madam Chairman, I understand that my friend from Ohio, he is a very good friend, and I think his amendment has some merits, but I think this is the wrong time to be moving troops and to be positioning them at the border when we have a more serious problem of dealing with terrorists.

It takes people at the border who understand the skills, or who have the skills for a different job. The military, and I served in the military, we are trained to do a different job: to destroy the enemy, to do covert operations. We are dealing with a friendly country on both sides, Canada and the United States.

Now, this new war that we are now involved in includes a host of fronts which include law enforcement on our borders, which includes Customs, Border Patrols, the INS, and just like what we are trying to do now, to be sure that when we get people who work at airports, that we pay them a decent salary, that they have the skills necessary so that they know exactly what they are dealing with, what they are looking for. Staying troops at the border will not do the job.

I was in law enforcement for about 8 years.

Mr. TRAFICANT. Madam Chairman. I continue to reserve my time.

Mr. REYES. Madam Chairman, I yield 15 seconds to the gentleman from Missouri (Mr. SKELOTON), my colleague and the distinguished ranking member.

Mr. SKELOTON. Madam Chairman, let me say, in recent testimony, Madam Chairman, the Chief of Staff of the United States Army, as well as the Secretary of the Army, testified that they are in need of at least 40,000 additional soldiers for our present missions. I have recommended publicly at least an additional 20,000.

I would point out that these are soldiers, as opposed to those who are policemen. Their job is to protect America's interests as soldiers.

I yield myself such time as I may consume.

Mr. TRAFICANT. Madam Chairman, might I inquire how much time is remaining on either side?

The CHAIRMAN. The gentleman from Ohio (Mr. TRAFICANT) has 3 minutes. The gentleman from Texas (Mr. Reyes) has 3 minutes, and the gentleman from Texas has the right to close.

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

Over 6,300 Americans are now dead since our last debate. President Bush has shown wisdom in calling up 50,000 reservists. If we need more, tell me what is more important than the national security of the United States nor the charge that we have here in Congress.

I am a former sheriff. Sheriffs and police chiefs do not fight wars. Border patrol and customs do not fight wars. They are a great help.
Mr. RYUN of Kansas. Madam Chairman, I yield 1 minute to the gentleman from California (Ms. HARMAN), my colleague and the cosponsor of this amendment.

Ms. HARMAN. Madam Chairman, I thank my colleague, the gentlewoman from California (Ms. SANCHEZ), for her leadership and co-leadership on this very important issue.

Madam Chairman, as we mount our multilayered global efforts to fight terrorism, we need America's best talent. All of that includes the majority of Americans: women. And those women serving in our military overseas need access to health care.

As we have heard, this amendment is about health care, which may be denied these women, especially serving in austere countries, as travel back to the United States may become impossible.

We are not asking that the Federal Government pay for abortions for women overseas. Women who want this procedure will have to pay for it themselves. We are not asking that health professionals who do not wish to perform abortions be required to do so. Only willing doctors would provide this service.

As women deploy abroad, it is time to send the right message: as they protect our constitutional rights to life and liberty, we need to protect theirs.

Mr. RYUN of Kansas. Madam Chairman, I yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Madam Chairman, I rise today to speak against this amendment to expand abortion services in overseas military hospitals.

Madam Chairman, let us be clear what we are talking about here. We need to put aside all the rhetoric. What this amendment does is allow the use of hard-earned taxpayer money to fund the procurement of abortions in our military hospitals overseas. The other side will throw out all kinds of false arguments and accusations concerning
this, but the amendment is fundamen-
tally about how we use our taxpayer
dollars.

This is not a controversial issue. The
overwhelming majority of taxpayers
oppose the use of publicly held Federal
tax dollars for abortion. This is an
amendment that has been rejected five
times by this same House. Do the right
thing and vote against passage of this
amendment again.

Ms. SANCHEZ. Madam Chairman, I
yield 1 minute to the gentleman from
Illinois (Mr. KIRK), my colleague on the
committee.

Mr. KIRK. Madam Chairman, I thank
the gentlewoman for yielding the time,
and rise in support of this amendment.

Currently, Congress bans all abor-
tions for military service members and
their dependents in U.S. military hos-
pitals overseas, including those which
are privately funded. Women stationed
overseas depend on base hospitals for
medical care, often situated in areas
where local facilities are inadequate.

Prohibiting women from using their
own funds to obtain these services en-
dangers their health and well-being.

Madam Chairman, I speak as some-
one who served in Operation Northern
Watch at Incirlik Air Base in Turkey
just last year. The thought of sending
one of our service women from Incirlik
to a Turkish hospital in Adana for the
kind of services they would receive
there is not something I want to sup-
port.

I think our women in uniform de-
serve the very best health care, espe-
cially when they use their own funds.

Mr. RYUN of Kansas, Madam Chair-
man, I yield 1 minute to the gentleman
from Florida (Mr. WELDON).

Mr. WELDON of Florida. Madam Chair-
man, I was in the Army Medical Corps
when the original policy banning abor-
tions in U.S. military facilities was
instituted by President Reagan back
in the early 1980s. And I could best de-
scribe the climate in those hospitals at
the time as a collective sigh of relief.

While there were many people who
were pro life, who objected to having
abortion performed in the military fa-
cilities, there were quite a few people
who were pro choice who I encountered
who, nonetheless, took the position
that they did not want to in any way,
directly or indirectly, be affiliated
with the performance of an abortion.

Anyone who has ever seen an abor-
tion can understand why I am saying
that. Typically, at the conclusion of
the procedure, the abortionist at-
ttempts to reassure the body of the
aborted baby to make certain that
they did not kill all of the products of
the conception, quote-unquote. It is quite
a grisly procedure, and I think a lot of
people who perhaps maybe lean on the
pro choice side would nonetheless pre-
fer it be done elsewhere.

I believe the current policy should be
supported. This amendment should be
voted down.

Ms. SANCHEZ. Madam Chairman,
may I inquire how much time is re-
mainling on both sides?

The CHAIRMAN. The gentlewoman
from California (Ms. SANCHEZ) has 2
minutes. The gentleman from Kansas
(Mr. RYUN) has 1½ minutes.

Ms. SANCHEZ. I reserve the balance
of my time, Madam Chairman.

Mr. RYUN of Kansas, Madam Chair-
man, I yield 1 minute to the gentleman
from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Madam
Chairman, the best reason to reject
this amendment is because the mili-
tary medical personnel want you to. It
has only been fairly recently we actu-
ally had a law enforcing the policy that
has been in effect for a long time that
we are not going to do abortions in
military medical facilities. Our mili-
tary medical personnel do not want
abortions done in their facilities no
matter who pays for it. It is very im-
portant now to support our military.

Please reject this amendment. This is
not helpful to our military.

The CHAIRMAN. The gentleman
from Kansas (Mr. RYUN) has 1 minute
remaining. The gentlewoman from
California (Ms. SANCHEZ) has 2 min-
utes. The gentleman from Kansas has
the right to close.

Ms. SANCHEZ. Madam Chairman, I
yield 1 minute to my colleague, the
gentlewoman from California (Ms.
HARMAN).

Ms. HARMAN. Madam Chairman, as I
said earlier, this is an amendment
which I have spent considerable time.
Let us understand what we are talking
about.

The gentlewoman from Maryland (Mr.
BARTLETT) just said personnel in mili-
tary hospitals do not want to perform
this service. They do not have to under-
this legislation.

He said let us support our military
while deployed abroad. That is my
point too.

Our military includes American
women who have a constitutional right
to reproductive health care. So let us
give them access. Let us support them
while they are deployed aboard. If
there were easy answers, easy ways for
them to return to the United States to
have these procedures, that might be
fine, but that is not the case.

If they are in Pakistan or other far-
off places where access to quality
health care may be difficult, they will
not be able to return to the United
States and their constitutional rights
will be abridged.

The point I made earlier, consistent
with the thrust of this amendment, is
that we  should respect women and
men in our military. We Need to pass
the Sanchez amendment.

Ms. SANCHEZ. Madam Chairman, I
will leave the closing of this amend-
ment to the gentlewoman from New
York. I yield the balance of my time to
the gentlewoman from New York (Mrs.
MALONEY).

Mrs. MALONEY of New York. Madam
Chairman, I rise in support of the
Sanchez-Harman amendment.

Our country is at war. Our troops
overseas are risking their lives to pro-
\begin{verbatim} protect our lives and our rights as U.S.
 citizens. One of those rights is a wom-
an’s right to choose. But women serv-
ing effectively lose this constitutional
right at U.S. military bases where they
literally cannot even buy an abortion.

A male member of the armed services
needing medical attention receives the
best. A female member needing a spe-
cific medical procedure must return to
the United States, often at great ex-
 pense, or go to a foreign hospital which
may be unsanitary and dangerous. All
she wants is the right to choose and
the right to pay for the bill.

We need to come together as a Na-
tion to support our armed services.
Passing this amendment is the least
that we can do.

Mr. RYUN of Kansas, Madam Chair-
man, I yield the balance of my time to
the gentleman from New Jersey (Mr.
SMITH).

Mr. SMITH of New Jersey. Madam
Chairman, have not we had enough vio-
lence lately? With all due respect to
the gentlewoman from California (Ms.
SANCHEZ), the amendment she offers
will result in babies being brutally
killed by abortion and will force pro-
life Americans to facilitate the slaugh-
ter of innocent children. Sanchez will
turn military hospitals into abortions
mills. I want no part of the carnage.

Madam Chairwoman, abortion is vio-
lence against children. Some abortion
methods dismember and rip apart the
fragile little bodies of children. Other
abortion methods chemically poison
children. There is nothing benign or
“curing” or nurturing about abortion.
It is violence.

We worry today about the agony of
chemical attack. Yet abortionists rou-
tinely attack unborn children with le-
thal chemicals. Abortionists turn the
babies spines to jelly. Abortionists
turn children’s bodies into burned
corpses, a direct result of the caustic
effect of salt poisoning and other meth-
ods of chemical abortions. It’s grue-
some yet the apologists sanitize the
awful deed with soothing, misleading
rhetoric.

Abortion methods are particularly
ugly, Madam Chairman, because under
the guise of choice, they turn human
baby girls and baby boys into dead
baby boys and baby girls. We have had
enough loss of innocent life. Reject the
Sanchez amendment.

Ms. SANCHEWSKY. Madam Chairman, I
strongly support the amendment offered
by the Gentlewoman from California to lift the ban
which forbids service women and female mili-
tary dependents from using their own funds for
abortions at overseas military hospitals. At a
time when we are sending more military per-
soneel overseas, we must not limit the med-
icare those individuals will have to be able
to access.
CONGRESSIONAL RECORD—HOUSE

September 25, 2001

17927

These brave women serving our Nation risk their lives for our freedom and they deserve the same constitutionally protected health care we enjoy in the United States. Their lives should not be further endangered because they cannot receive quality health care while they are serving in the line of duty. This policy is unfair. It denies women in the military the right to make their own decisions regarding their reproductive health. Is this the way we really want our women who are overseas or heading overseas to defend our Nation?

We as lawmakers cannot continue to place the reproductive health of American women in uniform at risk. I urge my colleagues to join me in supporting this amendment and repealing this ban which discriminates against our Nation’s service women and their dependents, preventing them from obtaining needed medical services simply because they are stationed overseas.

Ms. JACKSON-LEE of Texas. Madam Chairman I rise in support of the Sanchez/Harman amendment. 2586, the National Defense Authorization Act for Fiscal Year 2002. This amendment would reverse the ban on privately funded abortion services at U.S. military bases overseas.

The brave men and women serving our Nation risk their lives for our freedom, and they give up liberties that many of us take for granted. But our soldiers and their families deserve the same constitutionally protected health care we as enjoy living in the United States. This amendment is not only in the best interest of our military families, but will help our national recruiting and retention efforts as well.

The facts are simple: No Federal funds would be used for these abortion services. Health care professionals who are opposed to performing abortions as a matter of conscience or moral principle would not be required to do so. This simply repeals the statutory prohibition on abortions in overseas military hospitals, allowing women stationed overseas to use their own funds for abortions. It returns the policy to the way it was for decades—consistent with historical practice, medical convention and statutory requirements consistent with the laws of the state where they reside. The facts are clear. Federal funds will not be used to terminate pregnancies. Furthermore, physicians opposed to performing said operations are not forced to do so.

Finally, the provision of health services should not be predicated on one’s ability to pay for it. We must ensure that all female service personnel can avail themselves of legal medical services that are comparable to those in the United States, even if they are on a military base. Otherwise we will be creating a caste system, whereby only persons with the financial means to travel to the States to receive the medical treatment they want and need would be able to do so. I ask my colleagues to support the Sanchez/Harman amendment.

Ms. WATERS. Madam Chairman, I rise in support of the amendment being offered by Representatives SANCHEZ and HARMAN. This amendment is a common sense approach to the question of abortion procedures for servicewomen at bases overseas.

The law is clear here in the United States: women have the right to choose to have an abortion and to obtain it without undue interference from the government. Roe v. Wade established that right nearly 30 years ago, and no case since then has struck it down. That right belongs to all women residing in the U.S. It should not be taken away when our women decide to serve this country and are stationed overseas.

Without this amendment, our servicewomen will not have access to safe abortion procedures in U.S. military medical facilities overseas. They are at risk of being subjected to unsafe methods in non-military medical facilities. Meanwhile, overseas servicemen and servicewomen seeking any other type of health care are able to access good, safe health care at military medical facilities. This amendment does not ask the government or taxpayers to fund the abortions. And the amendment would not force anyone in a U.S. military medical facilities overseas to perform the procedure. Rather, this amendment merely gives our servicewomen the right to obtain an abortion in a safe facility, provided that they pay the cost of the procedure and the doctor agrees to perform it.

This is the very right those same women would have here in the United States, if they had not willingly sacrificed so much to serve our country. The amendment simply would restore previous policy that was in effect for decades, through both Democratic and Republican administrations. It is the least we can do for our servicewomen.

Mrs. LOWEY, Madam Chairman I rise in strong support of the Sanchez amendment, which would allow military women and dependents stationed overseas to obtain abortion services with their own money. And I want to thank my colleague LORETTA SANCHEZ for her fine work on this important issue.

Over 100,000 women live on American military bases overseas. These women risk their lives and security to protect our great and powerful Nation. These women work to protect the freedoms of our country. And yet, these women—for the past 7 years—have been denied the very Constitutional rights they fight to protect.

My colleagues, this restriction is un-American, undemocratic, and would be unconstitutional on U.S. soil. How can this body deny constitutional liberties to the very women who toil to preserve them? Mr. Speaker, as we work to promote and ensure democracy worldwide we have an obligation to ensure that our citizens are free while serving abroad. Our military bases should serve as a model of democracy at work, rather than an example of freedom suppressed.

This amendment is not about taxpayer dollars funding abortions because no federal funds would be used for these services. This amendment is not about health care professionals performing procedures they are opposed to because they are protected by a broad exemption. This amendment is about ensuring that all American women have the ability to exercise their Constitutional right to privacy and access to safe and legal abortion services.

As our Nation prepares for a severe and lengthy battle to preserve our freedoms and democracy, now is not the time to put barriers in the path of our troops overseas. We know that not one of these restrictions on abortion does anything to make abortion less necessary—it simply makes abortion more difficult and dangerous.

It is time to lift this ban, and ensure the fair treatment of our military personnel. I urge passage of the Sanchez amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. SANCHEZ).

The question was taken; and the amendment offered by the gentlewoman from California (Ms. SANCHEZ) was agreed to.

Mr. RYUN of Kansas. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. SANCHEZ) will be postponed.
The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 107–218.

AMENDMENT NO. 5 OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer a new amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. STUMP: At the end of division A (page 348, after line 8), insert the following new title:

TITLE XV—ACTIVITIES TO COMBAT TERRORISM

Subtitle A—Increased Funding to Combat Terrorism

SEC. 1501. INCREASED FUNDING.

(a) IN GENERAL.—The amount provided in section 301(5) for Operation and Maintenance, Defense-wide Activities, is hereby increased by $400,000,000, to be available as follows:

(1) INTELLIGENCE PROGRAMS.—For increased situational awareness and upgrades to intelligence programs to enhance United States security posture, $100,000,000.

(2) ANTI-TERRORISM INITIATIVES.—For enhanced anti-terrorism and force protection initiatives to reduce vulnerabilities at United States military installations and facilities in the United States and worldwide, $150,000,000.

(3) COUNTER-TERRORISM INITIATIVES.—For offensive counter-terrorism initiatives, $100,000,000.

(b) TRANSFER AUTHORITY.—The amounts specified in subsection (a) are available for transfer to other current accounts of the Department of Defense, as determined by the Secretary of Defense.

(c) OFFENSE-DEFENSE CONSTRUCTIONS.—(1) The amount provided in section 201(4) for Research, Development, Test, and Evaluation, Defense-Wide is hereby reduced by $250,000,000, to be derived from amounts for the Ballistic Missile Defense Organization, of which—

(A) $135,000,000 shall be derived from the Mid-Range Defense Segment program element (PE603882C); and

(B) $120,000,000 shall be derived from the Boost Phase Defense Segment program element (PE603882C).

(2) The amount provided in section 301(5) for Operation and Maintenance, Defense-wide Activities, is hereby reduced by $135,000,000, to be derived from amounts for consulting services.

SEC. 1502. TREATMENT OF TRANSFERRED AMOUNTS.

Funds transferred under authority of section 1501(a) shall be merged with, and shall be available for the same time period as, the appropriations to which transferred. The transfer authority under that section is in addition to the transfer authority provided by section 1001.

Subtitle B—Policy Matters Relating to Combating Terrorism

SEC. 1511. ASSESSMENT OF DEPARTMENT OF DEFENSE ABILITY TO RESPOND TO TERRORIST ATTACKS.

(a) ASSESSMENT.—The Secretary of Defense shall submit to Congress a report providing recommendations for ways to enhance the ability of the Department of Defense to provide support described in subsection (a). The report shall address the recommendations made by the Vice President in his report to the President on the development of a coordinated national effort to improve national preparedness, including efforts to combat terrorism, as directed by the President in May 2001. The report shall be submitted not later than 60 days after the date on which the Vice President submits to the President the report under the preceding sentence.

(b) RECOMMENDATIONS.—The Secretary of Defense shall submit to Congress a report providing recommendations for ways to enhance the ability of the Department of Defense to provide support described in subsection (a). The report shall be submitted not later than 60 days after the date on which the Vice President submits to the President the report under the preceding sentence.

SEC. 1515. ESTABLISHMENT OF COMBATING TERRORISM AS A NATIONAL SECURITY MISSION.

Section 108(b)(2) of the National Security Act of 1947 (50 U.S.C. 404a(b)(2)) is amended by inserting "terrorism," after "aggression."
amount from national missile defense into increased pay and improved family housing and counterproliferation efforts. And had matters turned out differently, this may have been a very spirited debate.

Then America was struck with an abominable act that demanded a united response. Both parties, from the Speaker and the minority leader on down, agree on this. But those differences pale next to our common goal of enhancing the security of our country from its most proximate threat.

Today, that threat is acts of terror against the innocent by the inhuman. This revealed importance of fighting terrorism has joined us in common cause.

The public is so often cynical about agreements in Congress, but we made an agreement; and this is one that aims toward the highest military priority, the fight against terrorism; and that is what this amendment does.

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

Madam Chairman, I, too, have high words of praise for the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Missouri (Mr. SKELTON) and the gentleman from Arizona (Mr. STUMP), who worked hard on this issue.

However, I have to make mention that I think we are going in the right direction perhaps in reducing the amount of money allocated to national missile defense, but we are not far enough. We would all love to throw an umbrella around this country and stop any type of missile projection coming in here; and if we could do that, there would not be a Member of Congress that would hesitate to vote for it.

The fact of the matter is that we do not have a system that works that way, and every reputable scientist indicates that we will not have a system like that in the foreseeable future, if at all.

The Pentagon’s own operations office and research office and technical office has indicated that not only have the tests not been successful to indicate that a system would work, but that the regime for testing as we go forward is not adequate to ever give us the confidence that any system would be reliable. In essence, we would be buying a false sense of national security.

We have to as a Nation set our priorities on this issue. We have been setting our priorities supposedly in line with what dangers, what risks, what threats may actually exist. But our intelligence services do not tell us that the primary risk threat to us is an intercontinental ballistic missile sent from a so-called rogue nation.

It is, in my mind, along the lines of what we experienced on September 11, and yet we do not align our national security budget in that direction. We are going to pay the price if we do not pay attention.

There are a number of reasons why we should not go beyond just testing this system; and yet this budget calls for not only testing a national missile defense system, but actually deploying it and violating the ABM treaty in the process, something which many in this country do not think is wise, certainly our allies do not think is wise, and gives great concern to Russia and China, nations upon whom we are now calling for their cooperation, yet telling them at the same time that we are going to unilaterally violate an agreement, a treaty, binding their countries and ours.

It does not make sense, it is not good fiscal policy, and frankly it is not good national security policy. If we want to really protect this country and give our citizens some feeling that we are secure in our lives and in this land, we should organize our priorities, understand which risks really are threats of immediacy, and allocate our resources in that direction. Spending $60 to $100 billion, a risk that has not yet proven can work and have not yet shown that we can have any confidence in its reliability is not the right direction.

Putting resources into home front security, where we know now especially what our concerns are, knowing that we have some 40 agencies whose efforts have to be coordinated, knowing that we have to work diplomatically, through intelligence, through law enforcement, as well as the military, and we have to make sure we have cooperation of everyone throughout the world, we know that this is going to be expensive, and we know that we still have a domestic budget and items that we have to confront at the same time.

We should get our priorities straight, Madam Chairman. We should not put this excessive money into national missile defense. Even those of us who think that we are nowhere near ready to go forward can get others to agree that we should just, at most, do testing and not move us into this dangerous path of starting to build before we are ready, before we have something that can be shown to work. We have done that elsewhere in other programs, such as that in Osprey, at great risk and disappointment and sometimes lives. We ought not to start down this particular path.

We ask people to consider that when they vote on this particular amendment. It does not go far enough in cutting funds for national missile defense. It does not put our priorities in the proper order. It does not give us true national security but, rather, gives us a prospect of national insecurity.

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

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentleman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Madam Chairman, I thank the gentleman for yielding time. I rise to support his amendment and also support his intent.

He talks about this being a down payment on what we are going to need to do to fight a war on terrorism, and it is. It is really just a placeholder, a down payment on what will be required in conference with the Senate. All of us know in this Chamber that with respect to fighting the war on terrorism, this bill is woefully inadequate. It is a pre-September 11 bill. I would like to highlight some of the things that we are going to have to do in conference with the Senate and with the assistance and the leadership of the President of the United States. Our job is to look forward at what are the capabilities we need to make sure are in place to defend this country when our men and women are called upon to defend this country. We need to establish in law the Office of Homeland Security. I am glad Governor Ridge will be taking up that responsibility. But we need to give him the support he will need to do the job.

We are going to have to completely rebuild airport security in this country. What we have now is inadequate, and everyone who travels on our airlines knows it. We are going to have to fund the operations, readiness and munitions accounts at much higher levels.

The assumptions in this bill on operational tempo do not take into account what we are currently asking our military to do. And, importantly, the most gaping hole that has been shown to the world in the last 2 weeks is the gaping hole in domestic intelligence. Without even changing the laws on what the government can gather for information, we are not coordinating the information that we have now between the Border Patrol and Customs and local law enforcement and the FBI. Without doing that, we will never be able to provide the protection that we need that will come first and foremost from intelligence.

Finally, Madam Chairman, this bill is inadequate with respect to what it funds for the National Nuclear Security Agency. We have authorized the refurbishment of four classes of weapons, but we do not authorize the funds for refurbishment. We have said that we want to have science-based stockpiled stewardship so we can have a safe, reliable nuclear weapons stockpile without nuclear testing, but we do not fund it. We are short $300 million in those accounts. We are short also on cybersecurity in the National Nuclear
Security Agency which the Cox report and the President’s foreign intelligence advisory board have said is a major priority for this country. That total short fall of over $800 million in the National Nuclear Security Agency must be remedied.

We are going to have to make major changes in this bill in conference. I think all of my colleagues understand that.

Mr. TIERNEY. Madam Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. I thank the gentleman for yielding me this time.

Madam Chairman, on September 11, America was assaulted, attacked, not with missiles, but with knives. This amendment reflects that new reality. It reduces funds for programs that could violate the ABM treaty and shifts that money to counterterrorism and security and domestic tranquility.

Former Secretary of Defense Mel Laird, who played a key role in the treaty’s ratification under President Nixon, recently said, and I am quoting, “An amended ABM treaty remains as relevant to peace and security today as it was 30 years ago. Deep-sixing the treaty instead of negotiating amendments would only create a less stable relationship.”

Last week, there were reports that the U.S. was about to withdraw from the treaty, but since then, Secretary Powell has reaffirmed our commitment to a new understanding with Russia on missile defense. That is eminently wise. Russia will be a key ally in the days ahead as the administration attempts to create an international coalition to fight terrorism.

So let us support those efforts and commit resources to the real threat we face today.

Mr. STUMP. Madam Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. WELDON).

Mr. STUMP. Madam Chairman, I yield myself 45 seconds.

Mr. TIERNEY. Madam Chairman, I yield myself 45 seconds.

First, we will have national insecurity, not national security if we start down the path of deploying and actually building and producing a system that is not yet workable. I do not think anybody can make a logical argument that this system is ready to work. I understand everybody would love to have it, but it just does not work that way. Our goal is to be in a position to answer the argument here. Are we going to give in to this budget so much money that it goes beyond testing and starts with building when it is not ready, therefore giving us national insecurity?

Are we going to give ourselves just the amount that we need for testing and continue to do that until testing shows that we have something that is workable, or are we going to waste resources by building something and then have to go back to the beginning at far more expense, at possibly the expense of lives, because we relied on something that does not work? For $1.6 billion, we can put money into airline security that we choose to put it in this way, and that is wrong.

Mr. STUMP. Madam Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Madam Chairman, I rise in an attempt to try to turn the attention from the same issues that the gentleman’s amendment reflects that money for weapons of mass destruction, the same technology for launching a ballistic missile is the same identical technology for launching rockets. If you believe that is a reason to cancel missile defense, you believe that is a reason to cut our missile defense program. It is the same technology.

Of the 15 times that we had tests where we did get out to the atmosphere, we hit the target 13. We missed it twice. Thirteen of 15 where the interceptor saw the target and hit it is not a bad track record. I ask for my colleague to go with me.

Mr. WELDON of Pennsylvania. Madam Chairman, I rise in an attempt to turn the attention from the same issues that the gentleman’s amendment reflects that money for weapons of mass destruction, the same technology for launching a ballistic missile is the same identical technology for launching rockets. If you believe that is a reason to cancel missile defense, you believe that is a reason to cut our missile defense program. It is the same technology.

Of the 15 times that we had tests where we did get out to the atmosphere, we hit the target 13. We missed it twice. Thirteen of 15 where the interceptor saw the target and hit it is not a bad track record. I ask for my colleague to go with me.

Mr. STUMP. Madam Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Madam Chairman, I rise in an attempt to turn the attention from the same issues that the gentleman’s amendment reflects that money for weapons of mass destruction, the same technology for launching a ballistic missile is the same identical technology for launching rockets. If you believe that is a reason to cancel missile defense, you believe that is a reason to cut our missile defense program. It is the same technology.

Of the 15 times that we had tests where we did get out to the atmosphere, we hit the target 13. We missed it twice. Thirteen of 15 where the interceptor saw the target and hit it is not a bad track record. I ask for my colleague to go with me.
Well, I hate to make the comparison here, but what do you think an airplane is? It is a large missile. It just so happens that these terrorists could use people and the technology they did not have the technology ready to put that missile on a cargo ship off of our coast. We have no defense against that kind of capability. I can tell you, when the Iranians, when the Iraqis, the Syrians and Libyans play that capability, which they are very close to now, we are not going to have the capability to defeat it and then it will not be an airplane, it will be a missile without people in it.

So I say to my colleagues, support the compromise. I am not happy with this. But the gentleman and the ranking member do what they have to. Support it. It is good policy and it is a good vote in favor of, I think, a logical solution.

Mr. TIERNEY. Madam Chairman, I yield myself such time as I may consume only because I do not want to let time pass between the gentleman’s comments and reality.

The fact of the matter is, I heard the word “demagogue” used in there, and I certainly hope that it was not pointed in this direction after what I just heard. The true fact of the matter is we only have to look at what scientists, those are a number of people missing from this debate that would not be in favor of national missile defense. They are basically most scientists, our European allies and friends in other countries and a large part of our military.

The fact of the matter also is that we do not rely on the same technology for NASA that we rely on for the missiles because if NASA fails, we understand that we need to go forward in there, we can have other attempts at this. If we are relying on a missile defense system and it fails, we are all dead. The fact of the matter is we need to test to make sure it works.

As to further facts on that, I have been told some things. You would think after 106, that that would settle it and the information would come out clearer. It does not take 106 to understand what is going on here and what is happening with the allocation of resources. This system has never fully tested the exact system that will be used ultimately. It has never shown that that would work. In fact, when there have been so-called successes here, it has usually been because there has been a beacon, because there has been some other sort of radar systems working other than the ones that will eventually come in. We have spent over $60 billion in the last several years on trying to design a national missile defense system that has not worked.

Mr. TIERNEY. Madam Chairman, I yield 3½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Chairman, I thank the gentleman for yielding me time and for the opportunity to work with him on this. I also want to thank the gentleman from Pennsylvania (Mr. WELDON), because in the time I have been in Congress, there are not many people as patriotic and concerned about America as the gentleman from Pennsylvania (Mr. WELDON). I have had the chance to go to Russia with him and travel with him on many opportunities.

We may not agree on this issue, but 1 do not doubt for a second the gentleman’s commitment to this country. And I would ask that our commitment to our country not be doubted when we say that it is really time to look at missile defense with great skepticism. When we look at the events of the last 2 weeks, we have seen our President put together a coalition of countries from around the world, a world coalition that is going to challenge terrorism.

I think that now, more than ever, we have an opportunity to build from this world cooperation; to get rid of nuclear weapons once and for all, which was the promise of the non-proliferation treaty, it was the promise of the ABM treaty, and the United States has a new opportunity.

I think the gentleman from Massachusetts is right when he raises questions that go to the heart of national missile defense, because the truth of the matter is if we pursue national missile defense, we are inevitably deconstruct the ABM treaty, which is a basis for bringing nations together. And that ought to be our effort now as we are in the 21st century, at a time when democratic institutions are under attack.

I rise in support of the amendment, because I think the amendment reflects the new priorities of our Nation in the wake of the terrorist attacks. And I appreciate the ranking member’s work and the chairman of the committee for their work in crafting the amendment.

The events of September 11, I would submit, have demonstrated that missile defense is ineffective in the threats facing the Nation today. Who can argue that a missile shield would have protected against the events of 2 weeks ago? We know that that attack on our country was so devastating, precisely because it was perpetrated anonymously and amorphously, disarmingly and instilling fear in our Nation.

As we employ this type of battle, what Pentagon experts have long known as fourth generational warfare, shun the conventional. Rather than intercontinental ballistic missiles, they employ car bombs; rather than planes, they target buses and institutions. That is why this transfer of funds, from the development of an unproven, ineffective weapons system, to programs that will immediately help protect Americans citizens from attack, is so crucial.

Madam Chairman, let me say there is no illusion here. This amendment is not nearly enough. The defense bill authorizes the expenditure of $343 billion. We must ask ourselves, will the expenditure of this money protect our Nation from the type of attack we faced 2 weeks ago?

Madam Chairman, I believe we need a new set of principles to guide our national defense. We need a lighter, more mobile force, capable of adapting to changing circumstances, including the emergence of terrorists and other fourth generational threats. We need to recognize that people, not machines, are our most effective asset. It is not excusable that our armed service members go wanting for housing and proper equipment, while we sink money into an unworkable weapons system.

We need to demand financial accountability from the Pentagon, which has not once passed the test of an independent audit. Similarly, we need a new comprehensive threat and risk assessment; and we need to combine these efforts to a comprehensive program to prevent attacks like we had 2 weeks ago.

Mr. STUMP. Madam Chairman, I have only one speaker remaining. I reserve the balance of my time.

Mr. TIERNEY. Madam Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Madam Chairman, the gentleman from Missouri (Mr. SKEEL-TON) and I began with an amendment of $920 million to be taken out of ballistic missile defense and transferred into a pay raise, family housing, homeland defense, and counterproliferation, all urgent needs, none of which is fully met.

It became apparent to us, particularly after September 11, that we were not going to be able to sell an amendment cutting this amount. So we, in the spirit of bipartisanship, made a deal. We agreed to lower the amount of the amendment to $400 million, of which $135 million had already been cut or reduced by the gentleman from California (Mr. HUNTER), the chairman of the subcommittee with jurisdiction over this matter. That left $265 million to be taken from basically two places in the BMDO budget.
First of all we took $120 million out of space-based lasers. Why? To put it in common parlance, we are simply saying, walk before you run. We have got an airborne laser system which has yet to prove itself. We should prove that technology on an airborne platform before we try to put it in outer space. This is a futuristic system, way over the horizon. Ballistic missile defense does not lose anything at all by that cut.

Secondly, we took $145 million out of mid-course systems and particularly out of sea-based mid-course systems. Why? The Navy has two systems now which are ship based. One is an area-wide system called “lower tier,” the other is a theater-wide system called “upper tier.” The area-wide system has just been slipped 20 months. The upper tier system has yet to make the first intercept. We are simply saying again, walk before you run, and, for goodness sake, do not start up a proliferation of programs that cannot be sustained in follow-on budgets. So we would trim there.

We made the cuts discreetly. We did not make hand-fisted, meat-ax cuts; we made discrete cuts that will allow this program to go forward more, I think more efficiently and more effectively. Where did we put the money? Well, September 11 caught us nodding, and it also caught us focused on a threat, almost fixated on this threat, and ignoring other threats. So taking a page, a cue from the lesson of September 11, we took a $400 million and put $10 million into intelligence programs, $150 million into antiterritorial initiatives, $100 million into counterterrorism initiatives, and $50 million into consequence-management activities, the kind of activities that will have to occur in the wake of the next tragedy, God forbid that there be one.

So we have made the cuts wisely and discreetly. We have made the allocation of the savings wisely as well. This is a good compromise. It is a good amendment. I urge support for it.

Madam Chairman, on September 6, 2001, Ranking Member IKE SKELTON and I filed an amendment with the Rules Committee affecting the Ballistic Missile Defense Organization (BMDO) Title of H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

The amendment would have taken less than one-third, $918 million, out of the $3 billion increase proposed for BMDO and transferred the money to the areas of urgent national security interest: $450 million for an additional 1 percent pay raise for military personnel; $250 million to address the most pressing family housing improvement needs; and $219 million for homeland defense and counter-proliferation efforts. Even with our amendment, spending on ballistic missile defense would have increased next year by $2 billion to $7.3 billion, or 38 percent.

The largest cut in our amendment as originally filed would have come from Fort Greely, Alaska, and here is why. Greely is said to be part of the Pacific test bed, but in truth, no missiles can be launched and tested from the silos at Fort Greely, as the booster stages would separate and drop over populated areas.

The booster on the missiles to be based at Fort Greely is the booster of the Cruise missile; it is an improvised Minuteman booster. The kinetic kill vehicle that sits atop the booster is also a test article, far from being proven. Its configuration will surely change as a result of testing before the final production design is selected. The site on which a $100 million X-band radar for tracking incoming re-entry vehicles and guiding the interceptors as they close on their targets; a radar with this kind of range and resolution is essential to a mid-course intercept system.

Finally, the system of Low-Earth Orbit, Space-Based Infrared Sensors known as “SBIRS-Low” is still years away from being deployed; any ground-based intercept system without X-band radar and SBIRS-Low is going to be an extremely limited system.

BMDO argues that the 5 interceptors at Ft. Greely may give us an “early capability” against an emerging threat. But with test article components and a subpar radar, this system will have little, if any, utility against a threat launched against the West Coast of the United States, and BMDO freely admits it will have no capability whatsoever against a missile launched at the East Coast.

I felt then that given the unmet needs in this budget, it was not wise to sink so much money into these silos, for such little gain. Frankly, I continue to believe that. However, in the wake of the horrible events of September 11th, Members on both sides of the aisle have come together to seek a compromise on this issue.

We have agreed not to cut funding for Ft. Greely, but in truth, many on this side of the aisle continue to have concerns about that proposal. In the interest of bipartisanship, we are putting aside this issue today, but I expect that we will revisit this issue in the next budget cycle. As a result, the amount of the cut contained in the compromise amendment is far below the level contained in the Skelton-Spratt amendment. Amendment to our original amendment have been largely preserved. I want to thank Chairman STUMP for his willingness to work on this with us.

The compromise makes a total cut below the President’s request for BMDO of $400 million. $120 million of this total is taken from Space-Based Programs. This is the same amount as was cut by the Skelton-Spratt amendment, and reflects the good government logic that this immature technology should be funded only at a concept development level.

Another $145 million is taken from the Mid-Course Intercept program. I argued for this cut to come out of Sea-Based Mid Course intercept, which is where the Skelton-Spratt amendment would have taken it, but the agreement leaves the cut less specific. I believe the cut should be made out of the Sea-Based Mid Course program. And I hope we can make the cut more specific at a future time.

A sea-based mid-course defense would entail an entirely new NMD platform, and before embarking on such an effort, BMDO should first demonstrate the maturity of the Navy’s theater defense programs, which are technically less demanding. At present, however, the Navy Area Wide program has seen its schedule slip by 20 months, and the Navy Theater Wide program has yet to have a successful intercept. Until these simpler technologies are demonstrated to make sense to pour hundreds of millions into an even more challenging, and even less mature system like sea-based NMD.

The balance of the $400 million is a cut of $135 million, based on the grounds that the fund would not be expended by FY2002.

I have been saying for many years now that Congress needs to stop treating missile defense like a political totem. And while this compromise is disappointing to many on both sides, perhaps it represents a small step in that direction. I urge my colleagues to support the Stump-Skelton amendment.

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

Mr. FRANK. Madam Chairman, I rise reluctantly in support of this amendment, not because I concur with the context I have many hesitations about it, but because I would rather that we have been having the fuller debate on this issue that a few weeks ago it looked like we could have. Obviously, we regret, all of us terribly, the circumstances that have compressed this.

I believe that the continued expenditure on missile defense is gravely mistaken. I understand that to have a debate under these circumstances would not be in our interests on the broader aspects of this, because, frankly, given the impulse, the understandable and laudable impulse to show our unity and support, I think the project would get more votes than it might get in a calmer atmosphere, I look forward to our being able to debate this at a future time, because I think the leadership on our side, on the committee and on the Committee on Appropriations subcommittee, has done an excellent job of vetting this project. So I am going to vote for this amendment because it is the most reasonable thing to do in this context.

But I want to repeat again what I think is a very important point to the President; there is an accommodation going forward here. There is less of a debate on this issue and less of an attempt to reduce it than would otherwise have happened in the interests of showing national unity.

I hope we will see a reciprocal response, in particular at a time when we are trying to build an international cooperative coalition with Russia, with China, and with other nations. It would ill-behoove this Nation to take unilateral action to undermine the ABM treaty. It would be an error to use the fact that the House has and the other body has said okay, we understand that this is not the appropriate time to have the full debate. I regret that, but I understand the decision.

But I hope we will not see the executive branch take advantage of that to go forward with steps that would lead
to a fracturing of our efforts to build an international coalition and that would inappropriately unilaterally undermine the ABM treaty and the international cooperative framework.

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

Madam Chairman, listening as this debate goes on to both the gentleman from South Carolina (Mr. SPRATT), who eloquently set forth his position, and the gentleman from Massachusetts (Mr. FRANK), who also did the same, I think they make convincing arguments about why, as much as many of us feel this does not go nearly as far as it should go, it may in this instance be all that we can get, as sad as that is to say.

It is important that we spend the money on intelligence and that we spend it on antiterrorism and counterterrorism and consequence management. It is just amazing sometimes to some of us that we do not think to do that without extracting a price of overspending on a system that has not been tested, and starting to deploy a system that, I think, in many ways will work to our disadvantage; that we will have $2.9 billion, or 55 percent of an increase over current spending on this. That we would have initial deployment that would lead to the breaching of the ABM treaty is somewhat beyond comprehension.

As I mentioned earlier, for $1.6 to $2 billion, we could secure Americans in their air travel. Yet we will put $2.9 billion instead on getting away ahead of ourselves, starting to build something before it is sufficiently tested, pursuant to the Pentagon’s own operations and testing and evaluation firm.

We are risking the stability internationally that this might present in unilaterally breaking that treaty. We are certainly well beyond the Congress’ intention, who said we should move forward only if it ever proved feasible. We are certainly failing to put our priorities in proper order. Where it is clear we are spending some $60 billion to $100 billion on an item that has not been proven to work and our own intelligence services say falls well behind the needs for security against terrorism, it just does not seem to make sense.

But I do want to commend the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Missouri (Mr. SKELETOR) for the work they have done on this. I was with them at the $920 million mark. I was a little beyond that, as were many, because that is what I really ought to be doing, being sensible.

But I join in congratulating them for getting at least something from folks that do not seem to want to take a really objective look at this and see where we are going.

I say that the gentleman from Massachusetts (Mr. FRANK) is probably right.

Let us see what we get for a reciprocal response. Let us hope that this administration can evaluate the entire situation and understand that this would not only violate this treaty; this would be the time to show good faith, and we can be responsible partners in cooperating with people as we ask for their cooperation internationally.

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

Mr. STUMP. Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Madam Chairman, I want to thank the chairman and the ranking member for putting together this compromise that allows us to stand united during this defense bill and not send out the wrong signal to the world, and not to continue to move forward on missile defense.

It has been suggested that the question of the day is will we ever be attacked by ballistic missiles? Is it possible, is it imaginable that someday Americans will be killed by ballistic missiles?

Well, that question has been answered. It was answered 10 years ago when 28 Americans were killed, the first American casualties by ballistic missiles during Desert Storm.

1915

They were killed by the slow ballistic missile known as the Scud, the Model-T of ballistic missiles, the ones that are proliferated around the world.

So the facts are, we have been struck by ballistic missiles, they have killed Americans, they are a real threat, and Democrats and Republicans agree that we have to be able to stop these thousands of ballistic missiles that are proliferating around the world, some of them a function of military sales where countries like North Korea and China and Russia sell these missiles to countries and to groups that would aim them at us; and the other one as a result of information and technology now that is going to rogue groups, going to nations that are not our friends around the world which, indeed, will aim these systems at the United States.

Now, let me just address this compromise and what it does. First, it has been suggested over and over again by the gentleman from Massachusetts (Mr. TIERNEY) that we do not want to use these things; we do not want to deploy a ballistic missile defense system until we know it works. That is the point. Most of the testing is for the so-called national missile defense system, that is, stop the fast ballistic missiles that can go intercontinental. It is for testing.

Now, we just had a test about a month ago, a successful test in which we shot our standard shot; and when we shot our standard shot, we launched a target missile from Vandenberg Air Base. It went west across the Pacific.

It was hit, it went about 4,800 miles, it cleared Hawaii; and after it cleared Hawaii, we fired up an interceptor missile out of Kwajalein Island that hit it about 1,400 miles above the Earth's face and killed it. Now, we fired that shot several times; and if we ask the ballistic missile defense program, can we make that shot, we can make that shot. With that angle, with that speed, with those physics, we can make that shot.

But the critics of the system have said, wait a minute. There are other things we have to be able to do. How about the tougher angles? How about the faster closing speeds? How about the different closing speeds? How about all of those things that are variables?

Well, the answer is to this cry for tough testing, we have to expand the test range to have tough testing and that means we cannot have the same shot time after time where we shoot over Hawaii and we come up with an intercept from Kwajalein Island. We have to have the Alaskan dimension, the Alaskan dimension, to make the closing angles, the shooting angles. Just like we are shooting on a skeet range, instead of shooting at the clay bird going straightaway every time, we are now going to have to shoot one that is going at a fast angle.

It is going to give us a variety of speeds that we have to shoot at. It is going to give faster interceptor speeds. It is going to make all the difficult challenges that our critics are telling us and that the gentleman from Massachusetts (Mr. TIERNEY) alluded to when he talked about these commissions that have said we have to make tougher testing. It is going to give us tougher testing.

So I would say to my colleagues, whether one is for missile defense or against missile defense, we certainly want to know what the outcome of these tough tests are going to be.

Well, I have news for my colleague. There is not going to be any outcome for us to judge if we do not build the range. Most of the money that goes into this system goes to build the range.

Now, let me just say with respect to the Soviet Union, because the ABM Treaty has been mentioned, and I think everybody has reflected on the effect of this strike on America with respect to our position in the world, our relationship with the Soviet Union.

We told the Soviet Union, we did make the agreement, the ABM agreement, not to defend ourselves. That is an agreement not to defend ourselves. But we have always said to them, we are not worried about you; we are worried about these other people. We are worried about all of these nations that are depicted here on this map of the world which are now building and developing ballistic missiles and none of these countries, none of these groups signed any treaty not to defend themselves. They did not sign the ABM
Treaty, and we are concerned about that. I think that the Russians now are looking at this more realistically, and I think the President has more credibility in his argument when he said we are truly worried about the unimaginable happening.

For those people who said up until a few weeks ago a strike on the United States is unimaginable, a missile strike on our united States is unimaginable, it now becomes apparent to us that unimaginable things happen.

So what we need is not just defense against people that take over airlines, it is not just defense at our borders against cargo containers coming in, it is not just defense against submarines and ships and guerrilla warfare and terrorism; it is broad capability against a number of threats. We live today, I say to my colleagues, in an age of missiles; and we are going to have to learn to defend against missiles. If we are going to maintain the national security.

Our two leaders have put together a compromise that I do not fully agree with; it does make a $265 million cut from this missile defense budget. However, they did it in a spirit of compromise to get this bill moving, to move it into the conference, and to be able to work our will from that point. Because of that, and because of the need to let the world know that we stand together, that we are not fractured, I support this compromise. I urge everyone to vote for it.

Ms. MCKINNEY. Madam Chairman, I rise in support of the Stump/Skelton amendment to combat terrorism. If there is one thing that we have learned from the tragedy of September 11, it is that the greatest threat to our Nation is not from high-tech weapons such as ballistic missiles being launched at our Nation. Therefore, the defense that is of the greatest priority to our Nation is not an $83.3 billion missile defense system guaranteed to protect us. Instead, we need to protect ourselves from the modern threat of terrorism, protecting our airports and hubs of activity, seeking out those who are responsible for previous attacks, to be aware of and prepared for plans of future attacks, and to act appropriately with the intelligence we gather. This amendment takes away less than 9 percent of the increase for missile defense research and development, and only 3 percent of the entire missile defense budget. I believe that we should reprogram much more towards protecting our constituents from the real threats that our Nation is facing, and spend much less on some Star Wars program. This amendment supports that concept of refocusing our priorities on the true threats to our Nation, and I urge my colleagues to support it.

Mr. RODRIGUEZ. Madam Chairman, I rise in strong support of this amendment and I thank the Chairman and the Ranking Member for bringing it to the floor in a bi-partisan fashion. This amendment deserves our attention and support if we are to begin addressing our pressing national needs in combating the horrific practice of terrorism. The tragic events of September 11th prompt use to do more in this effort and this amendment gives us the opportunity to enact sound policy in this regard. By providing $400 million in new funding for intelligence, anti-terrorism, and counter-terrorism efforts, and the Department of Defense with the resources needed to begin defending our nation against future terrorist aggression.

Combating terrorism is and should be a national security concern, and this amendment establishes it as such. This amendment is a significant step towards overcoming existing vulnerabilities, as it requires DoD to report on their ability to defend the nation against air-borne threats. Furthermore, as assessment of DoD’s ability to respond to terrorist attacks and provide support for Federal, State, and local consequence management activities as required by this amendment will ensure that our government is better prepared to handle any future terrorist crisis.

This amendment addresses our national security needs with regards to terrorism without compromising our need to protect and defend the nation against ballistic missile attacks. As the individual in this body representing Guam, well within striking range of nations like North Korea, I am keenly aware of our Nation’s vulnerability to the threat of a ballistic missile attack. But I am also acutely aware of our need to defend our people against terrorism.

If we are to protect our nation, safeguard our democracy, and rid the world of terror, we must begin to vigorously combat terrorism. Passage of this amendment is a significant start towards this end and it is necessary if we are to reduce vulnerabilities at our military installations and facilities, not only within the continental United States, but also in Guam, and throughout the world.

Mr. RODRIGUEZ. Madam Chairman, I rise in support of the Stump/Skelton amendment to take $400 million from the national missile defense program to fund intelligence, anti-terrorism, force protection, and counter-terrorism efforts. The funding shift in the amendment is a good start but more needs to be done.

We must question spending an additional $2.5 billion next year and possibly $100 billion in the future to establish a national missile defense system when deadly terrorist attacks can occur with the purchase of an airline ticket.

Don’t get me wrong. I strongly support a theatre missile defense system to protect our troops and allies on the battlefield. But not a national missile defense system that threatens our world wide treaties. But, let’s take this one step at a time in light of our many priorities. The enormous sum of $100 billion could be better spent on intelligence, diplomacy, rebuilding the military, and protecting America’s ports of entry.

My Congressional district includes several border crossings between the U.S. and Mexico. The U.S. Customs agents at the border crossings are undermanned and underfunded even though they are on the frontline of protecting our Nation.

For three years Customs has been attempting to upgrade its computer systems to enhance the inspection of goods crossing U.S. borders. Funding shortfalls have prevented the implementation of this critical system.

Customs is only one example of where money could be better spent to protect Americans from terrorist attacks.

I urge my colleagues to support the amendment.

Mr. HOLT. Madam Chairman, I rise in strong support of the Stump/Skelton amendment. As our Nation is working to deal with the tremendous needs of our armed forces in the wake of the September 11 terror attacks, this is one amendment that is particularly important.

The Stump/Skelton bipartisan amendment cuts $400 million from the President’s request for National Missile Defense programs, and transfers these funds to intelligence and counter-terrorism initiatives. The Stump/Skelton amendment represents a consensus, compromise position that all of us should support.

As a Nation, there are many lessons to be learned from the recent attacks on the World Trade Center and the Pentagon. One of the things that is underscored by the events of September 11 is how careful we must be about where we put our defense dollars and the priorities that we as a nation fund in our defense budget.

The pursuit of a National Missile Defense is an expensive, unproven and destabilizing policy that should be rejected. There are so many more important needs to fund in our defense budget. While this amendment does not eliminate all of the funds the President has requested for a National Missile Defense system, it does make important reductions in that account and important increases in areas where we clearly need to make investments, particularly in our intelligence and counter-inelligence efforts.

The National Missile Defense as proposed would not be effective. It would be costly to deploy and easily circumvented. It could be confused with decoys. It could be bypassed with suitcase bombs and pickup trucks and sea-launched missiles or need 1 say it, wayward airlines. It would be billions of dollars down the drain. But it is not just a diversion of precious resources that we are told are not available for health care, for smaller class sizes, for modern school facilities, for securing open space or for taking care of America’s veterans.

It is worse than a waste. Simple strategic analysis will tell us that provocative yet permeable defenses are destabilizing and lead to reduced security.

The U.S. has not been able to develop a workable missile defense system after 40 years of trying and spending $108 billion. Clearly this money is better spent in supporting our intelligence and counter-intelligence efforts. I urge all of my colleagues to support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. STUMP).

The amendment was agreed to.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 3 by Mr. TRAFICANT of Ohio and amendment No. 4 by Ms. SANCHEZ of California.

The Chair will reduce to 5 minutes the time for the second electronic vote.
AMENDMENT NO. 3 OFFERED BY MR. TRAFICANT
The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 3 offered by the gentleman from Ohio (Mr. Traficant) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been ordered.

A recorded vote was ordered.

POINT OF ORDER

Mr. TIERNEY. Madam Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. TIERNEY. Madam Chairman, just looking around and counting, I am not sure that I reached the same conclusion that the Chairman did, and I am wondering if she might want to count again.

The CHAIRMAN. A recorded vote has been ordered.

The vote was taken by electronic device, and there were—ayes 242, noes 173, not voting 15, as follows:

AYES—242

Abercrombie, AJ

Abercrombie, David

Abercrombie, Jim

Abercrombie, Z

Akin, Jack

Allen, A

Allen, A

Allen, B

Allen, B

Allen, Matthew

Allen, Raymond

Allen, Randy

Allen, T

Allen, Todd

Allen, T

Allred, Norman

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zoe

Allred, Zo
Mr. STUMP. Madam Chairman, as long a time of the manner in which we finance our nation’s military, I had intended to oppose the legislation being considered today.

This year’s defense budget contains a number of deficiencies, the most glaring of which is this: it is not designed to equip our military for the task at hand. Written prior to the attack of September the 11th, this legislation continues the mistakes of the past decade. It is designed to fight the cold war, but that war ended years ago, and as we all too brutally in New York and Washington, the world is a far more dangerous place.

Furthermore, this bill leaves our military, on the eve of an epic undertaking, with a number of acute needs that have yet to be adequately addressed—needs we know about for many years.

As the chair of the Government Reform Subcommittees on National Security, which has oversight jurisdiction over the entire Department of Defense, I have seen first hand the needs of our military. We need to do a better job attracting new enlists and maintaining the necessary level of reenlistment. Our training has suffered in recent years. We lack the necessary munitions for new encounters. We are cannibalizing existing planes, tanks and other equipment for their parts, in order to make other equipment operational. Our soldiers, sailors, pilots and Marines are overworked and underpaid. At least this last part we have begun to address. And I strongly support the military pay raise included in this legislation.

Regrettably, like its predecessors, this year’s National Defense Authorization Act fails to cancel the procurement of expensive, unnecessary weapons systems; close unnecessary bases and depots, at home and overseas; and require our allies, particularly Europeans, to pay their fair share of stationing U.S. troops in their countries.

So why will I vote for this bill? Because I strongly support the President of the United States and the campaign against terrorism on which we’ve embarked. And I don’t want anyone, particularly, our enemies, to misunderstand a No vote.

Unfortunately, this legislation provides the funding, but not the reforms. I pray future defense bills address these glaring needs, but

Mr. STUMP. Madam Chairman, may I take a moment to thank our staff on both sides of the aisle for the tremendous job and the many late nights that they have spent here and put up with and produced this good bill.

Madam Chairman, I urge everyone to support the bill.

Mr. SHAYS. Madam Chairman, as a long-time critic of the manner in which we finance our nation’s military, I had intended to oppose the legislation being considered today.

This year’s defense budget contains a number of deficiencies, the most glaring of which is this: it is not designed to equip our military for the task at hand. Written prior to the attack of September the 11th, this legislation continues the mistakes of the past decade. It is designed to fight the cold war, but that war ended years ago, and as we all too brutally in New York and Washington, the world is a far more dangerous place.

Furthermore, this bill leaves our military, on the eve of an epic undertaking, with a number of acute needs that have yet to be adequately addressed—needs we know about for many years.

As the chair of the Government Reform Subcommittees on National Security, which has oversight jurisdiction over the entire Department of Defense, I have seen first hand the needs of our military. We need to do a better job attracting new enlists and maintaining the necessary level of reenlistment. Our training has suffered in recent years. We lack the necessary munitions for new encounters. We are cannibalizing existing planes, tanks and other equipment for their parts, in order to make other equipment operational. Our soldiers, sailors, pilots and Marines are overworked and underpaid. At least this last part we have begun to address. And I strongly support the military pay raise included in this legislation.

Regrettably, like its predecessors, this year’s National Defense Authorization Act fails to cancel the procurement of expensive, unnecessary weapons systems; close unnecessary bases and depots, at home and overseas; and require our allies, particularly Europeans, to pay their fair share of stationing U.S. troops in their countries.

So why will I vote for this bill? Because I strongly support the President of the United States and the campaign against terrorism on which we’ve embarked. And I don’t want anyone, particularly, our enemies, to misunderstand a No vote.

Unfortunately, this legislation provides the funding, but not the reforms. I pray future defense bills address these glaring needs, but
CONGRESSIONAL RECORD—HOUSE

Four.

Mr. STARK. Madam Chairman, I rise in support of our armed forces that are preparing to deliver justice to the organizations who initiated the attack on the United States on September 11, 2001. However, I must still oppose the Defense Department Authorization bill before us today. This legislation simply fails to meet the mark for what is needed to defend our nation.

It does have several measures that I support including: pay raises for the average soldier and increased funding for medical benefits. However, all that's bad in this bill outweighs these positive components.

Like previous defense authorization bills, it wastes billions of dollars on attack submarines, advanced destroyers, a National Missile Defense (NMD) System, and continues to fund the outdated F-22 program.

The investment of hundreds of billions of dollars in aircraft carriers and ships has done little to protect American citizens from attack. It has only been used to line the pockets of big defense contractors who are more interested in profit margins than defending the United States. We continue to waste billions of dollars to build these ships at the cost of truly effective military investments like training in counter-terrorism, anti-guerrilla warfare tactics, and intelligence gathering—all of which would yield far greater benefits than the big ticket items currently included in the bill.

The F-22 program is another wasteful program. We continue to fund this program despite its consistent cost overruns and failures to meet performance and production guidelines. This program made sense in the late 1990's when we were still preparing to defend against advanced Soviet technology, but today that is no longer the case. Our potential enemies are flying obsolete Soviet fighters Su-22's and MiG-21's. These planes are on par with our old F-4 Phantom's which were the premier fighter when we were fighting in Vietnam.

Finally it provides over $8 billion to continue to develop the National Missile Defense system. The argument that any potential enemy would be far wiser to invest a couple million dollars to train people to fly a plane into the US to delivery weapons of mass destruction, rather than hundreds of billions of dollars to develop an Inter-Continental Ballistic Missile. In light of this reality, it seems foolish, wasteful and completely inappropriate to direct huge sums of money at this project.

Seventy major military construction projects for Guam are included in this bill. Phase II of the Guam Army Guard Readiness Center will receive $7 million and $4 million is included for the National Guard. Other projects include $4.5 million for a Forward Operation Location War Reserve Material Facility at Andersen Airforce Base and $24 million for the upgrading of the Navy's Bachelor Enlisted Quarters and Public Works waterfront Utilities. The bill also includes $20 million for the continued replacement of Andersen's hydrant fuel system. These projects are significant towards modernizing Guam's military infrastructure and equipping our troops stationed in the Western Pacific with the equipment they need to meet our increased national security demands.

In addition to military construction projects, the bill also provides for the conveyance of a water supply system at Andersen Air Force Base and the construction of a war memorial on Guam to honor the victims of the Yigo Massacre, which occurred during World War II. Guam was the only U.S. State or Territory with a civilian population to suffer occupation during World War II. Immediately following the liberation of Guam, decapitated bodies of 45 men were discovered in the village of Yigo. Today, it is presumed that these men were forcibly conscripted by the Japanese forces to be of service to them during their retreat. The story of these men has largely been forgotten since the time they were forcibly separated from their homes and families. The memorial included in this bill will commemorate the sacrifices made by these men and resurrect and preserve their story in history.

I am also pleased that the House Armed Services Committee has addressed the issue of the Department of Defense's responsibility and duty to clean up former military sites. Guam was home to significant and tremendous military activity during World War II. Unexploded ordnance and other weaponry have been found in recent years as a result of this activity. The report accompanying this bill stresses the need for the Department of Defense to be more aggressive in their management and clearance of unexploded ordnance and other dangerous hazardous materials. This language is essential in ensuring that the proper attention is devoted towards the cleanup of our island.

In conclusion, this bill goes a long way towards improving our nation's military readiness and supports Guam role in contributing to our national security. The people of Guam welcome the forthcoming military construction activity and look forward to doing their part in providing for the national defense.

Mr. DEFAZIO. Madam Chairman, I have worked for more than a decade to reorient federal budget priorities so they better reflect the needs and wants of average Americans.

I have also been a vocal advocate for taking a serious look at the spending priorities within the Department of Defense (DOD). I have regularly drafted amendments to force the Pentagon to reevaluate and justify how it spends taxpayer money.

We demand accountability from all other federal agencies. We should demand no less of the DOD. After all, the $343 billion authorized in this legislation represents one of every two dollars in discretionary spending that can be appropriated by Congress.

There are clearly significant flaws with H.R. 2586. While the basic needs of many of our young men and women in uniform have not been met, this legislation provides tens of billions of dollars to fund weapons systems that are of dubious necessity, over-budget, behind schedule, and fail to meet performance requirements.

For example, at G.I. Joe's in Eugene, Oregon, I met a dad who was buying a water bottle for his son in the Marines. He told me his son was issued an expensive radio without any waterproof protection. All the Pentagon supplied was a plastic garbage bag.

The legislation provides around $8 billion for an ill-defined, unworkable national missile defense system. This represents more than a 50 percent increase over current spending levels. American taxpayers have already generously provided more than $60 billion over the last two decades to develop this system with little to show for it.

Even if the system could be made to work correctly, it doesn't address the most significant threat our nation faces. As I've said in debates over NMD in past years, given our awesome retaliatory power, one of the least likely threats confronting the U.S. is an inter-continental missile with a return address. In those previous debates, I went on to raise concerns about the money NMD was diverting from our preparation for more likely attacks by terrorists with primitive delivery systems like rental trucks, freighters, or even suitcases.

The legislation continues to fund the development of three new fighter jets when one should do, and continues to fund an oversized nuclear stockpile.

I am concerned that the spending priorities reflected in this bill are oriented to fighting the last war, not meeting the threats our nation faces today.

That said, I am going to support this legislation. I do not make this decision lightly. The world changed on September 11, 2001. The terrorist strikes on U.S. soil have created a sense of urgency to guarantee our troops are adequately supplied and supported in order to protect and defend our country.

Some of the funds in this legislation and the emergency package approved by Congress last week will go to make sure our men and women in uniform have everything they need to deal with the current crisis. However, I fully intend to revisit the spending priorities of the Pentagon next year and look forward to reviewing Secretary Rumsfeld's plans for retooling our nation's military to more adequately meet the threats of today.

But, that critical debate can wait for another day. In this time of crisis, I will vote in favor of this legislation in order to stand firmly behind our young men and women in uniform who may soon be put in harm's way.

Ms. BALDWIN. Madam Chairman, when President Dwight D. Eisenhower gave his farewell address in 1961, he spoke about the problem of industrial mobilization which he said was a threat of government. In an age of the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

It is forty years later, and yet his words still ring true. The corporations and organizations...
that profit so much from military build-ups are unaccountable to the American people. That was true in 1961, it was true on September 10th, 2001, and it remains true today. In America, the nation’s military priorities ought to be set by the people.

For that reason, I have been a harsh critic of our nation’s military budget. I have regarded its priorities as misplaced. I have vehemently opposed deploying National Missiles, the so-called "Doomsday". I have disagreed with the decision to build the F–22 Raptor.

I have questioned the need for new attack submarines, battleships and guided missile destroyers. I lament our failure to adequately compensate the men and women who serve in the Armed Forces and our failure to keep our promises to our nation’s veterans.

I decry the failure to fully fund our non-proliferation efforts and nuclear disarmament programs.

I have opposed every defense authorization and defense appropriation bill put before me since I came to Congress.

And I would expect to do so again in the future, if I am not able to have greater influence on their content, their magnitude and their priorities.

But today is different. I have struggled with this vote as I have struggled with no other. Here is where that struggle has brought me. I regard my two central duties at this unprecedented time to be the protection of American lives and the protection of the American way of life—our freedoms of speech, our expectation of privacy, our right to due process.

I do not know what our President is being told by our intelligence agencies or by the criminal investigators. I do not know what tools our President will need to protect our families from further attacks and threats. I could not accept the responsibility for denying those charged with protecting our immediate safety and security with the tools they need. The Administration has told us that these are the tools they need. Not knowing what they know, I take them at their word.

No one should interpret this vote as any indication that I will not continue to question and criticize policy that I believe is wrong. No one should take this vote as an indication that we should not push to reconfigure, rethink and reprioritize our national defense program.

In this unprecedented time, we give our President what he has requested in order to protect American life. At the same time, I do not forget General Eisenhower’s caution that we must guard against the acquisition of unaccountable power different security teams, we want to be assured that America is properly prepared. This defense authorization bill has much that I find unsatisfactory.

I reluctantly voted in opposition to this defense authorization because of the continued clear misallocation of resources it includes for national missile defense. In fact, I have grave reservations about several of our patterns in military technology and hardware. For example, I am still developing these new tactical aircraft systems simultaneously. It is critical that we deal with the meat and potatoes of our nation’s defense and the support of our military retirees before launching forth with some of these troubling weapons systems. The most problematic of them all is missile defense.

There is nearly $8 billion in this bill for a system that was demonstrated two weeks ago not to be our top priority. We were caught flat-footed with a severe act of domestic terrorism necessitating that we need to be doing more to protect against conventional threats: intelligence on the ground and improving civilian capacity to assist our citizens. It is ill-advised to continue to feed money into a system for remote risks that are far into the future which may not even work and may further destabilize the world balance of power.

We need to focus our efforts now more than ever before on making sure that our armed forces are equipped to deal with today’s threats and not respond to the threats we wish they would be in the future or know they were in the past. Missile defense is the worst example of both these premises.

I hope that we will be able, in the course of this Congress, to do a better job of effectively evaluating our threats and redeploying our resources to protect our citizens and support our fighting men and women.

Ms. BROWN of Florida. Madam Chairman, as you may know, the Senate has authorized another round of base closings. I rise in opposition to any attempts to weaken our national defense through another round of base closing.

Another round of base closing will subject the future of our national defense to a political and arbitrary process of back-room-deals and broken promises. All of the past BRAC rounds have been full of last-minute games, empty promises, false cost savings and unreliable data.

At a time when our nation has been attacked by terrorist forces, further base closings would make our country look weak and further undermine the security of the American people. Closing additional military installations will make our remaining bases easier targets. We need to focus our efforts now more than ever before on making sure that our armed forces are equipped to deal with today’s threats and not respond to the threats we wish they would be in the future or know they were in the past. Missile defense is the worst example of both these premises.

I hope that we will be able, in the course of this Congress, to do a better job of effectively evaluating our threats and redeploying our resources to protect our citizens and support our fighting men and women.

Ms. LOFGREN. Madam Chairman, I had urged that this Department of Defense spending bill be brought up without including the controversial missile defense program. It was my hope that a Congress, would be best served by taking up a bill that most of us could vote for, which could then be followed with the controversial missile defense bill about which so many of us disagree.

Last week, on the floor, I had occasion to discuss the missile defense plan during the national security team meeting. I have been an outspoken critic of the missile defense plan. As a Congress, we must be its target.

But spending billions on missile defense, in my view, will not make our country safer. It would not stop the terrorists who attacked us on September 11th and it won’t work to stop “nuclear terrorism” either. Unfortunately, the technology isn’t even advanced enough to stop the so-called rogue nations that are identified to be its target.

I favor additional funding for avionics, parts, upgraded technology and military pay. I wish I were able to vote for such good things separately from this flawed missile defense plan.

Mr. GUTIERREZ. Madam Chairman, I rise in strong opposition to the language in this bill concerning the future of the Puerto Rican island of Vieques.

The United States Navy has trained in Vieques for more than sixty years. The effects of that training on the environment of the island and on the lives of its 9300 residents are painfully clear.

Thousands of acres on that beautiful tropical island are devastated, bearing witness to the presence of hundreds of thousands of tons of metals, chemicals and materials that have been shown to increase the incidence of cancer and other diseases.

Vieques, which was once a thriving, albeit underdeveloped for several decades, became a civilian security guard from Vieques—the development of any significant economic activity in Vieques. Vieques for more than sixty years.

The effects of that training on the environment of the island and on the lives of its 9300 residents are painfully clear.

Thousands of acres on that beautiful tropical island are devastated, bearing witness to the presence of hundreds of thousands of tons of metals, chemicals and materials that have been shown to increase the incidence of cancer and other diseases.

Vieques, which was once a thriving, albeit underdeveloped for several decades, became a civilian security guard from Vieques—the development of any significant economic activity in Vieques. Vieques for more than sixty years.
of the bombing, enough of the contamination, enough of the constraining of their lives hopes and aspirations by the U.S. Navy. Together with the religious, civic, political, and labor leaders of Vieques, the people of Vieques began a sustained campaign of peaceful protest and peaceful civil disobedience to put a stop to the abuses of their land by the Navy.

Madam Chairman, last year President Clinton and this Congress attempted to mediate in the dispute.

I believe that President Clinton, as commander-in-chief under our Constitution could have resolved the issue the same way President Ford had resolved the matter of Culebra in 1975, or President Bush had resolved the issue of Kahoolawe in 1991, by simply ordering his subordinates in the U.S. Navy to cease operations in Vieques. He chose, instead, to do a combination of Executive orders and Congressional action.

That is now known as the Clinton-Rossello agreement.

I opposed that “compromise” precisely because I suspected that what is happening here today—that Congress is literally going back on its word given to the people of Vieques and the people of Puerto Rico could happen. That is why I called on President Clinton to resolve the matter once and for all.

Madam Chairman: The people of Vieques have expressed their aspirations for peace in every peaceful manner possible. They have protested peacefully, the have engaged in peaceful civil disobedience ... and they voted-overwhelmingly, 70 percent of the vote—for the Navy to leave them in peace.

And this Congress had promised them that the Navy would indeed leave, if—we told them last year—you vote in a federally sponsored referendum to be held at a date of the Navy’s choosing for the Navy to leave.

That referendum, that opportunity for the people of Vieques to once again express their wish to live in peace and free of contaminants and threats to their lives and their safety, was going to take place on November, on the date chosen by the Navy.

But the Navy and their allies in Congress now know what I always said, that the people of Vieques, whom the Navy was called their “neighbors” no longer want the Navy in their land.

So, what do we do when the people of Vieques are about to beat the Navy at a game whose rules were designed by the Navy and its political allies in Congress? We will now change the rules, to prevent the people of Vieques from winning fair and square.

In this time of crisis, we are all feeling a growing sense of patriotism. I am pleased and proud that the people of our nation are rallying to our country and about what it stands for.

But I want to make clear for the record that we are committing a grave injustice to a peaceful people who have the right, the same right as any of my constituents or any of the constituents represented in this body to live in peace, free of fear, free of deadly contamination with a hope for a legislatively safe future for themselves and their children. I vote for this bill to support that defense of our nation—and despite language regarding Vieques that is unjust and counterproductive.

Mr. BENTSEN. Madam Chairman, I rise in support of this important bill. Since 1987, the United States is ready to meet the challenges that lie ahead, including the challenge of meeting and defeating international terrorism.

I also want to express my strong support for the Stump/Skelton managers amendment to the defense of our nation and to the employees who are age 65, or who are Medicare-eligible retirees and their dependents. I urge my colleagues to support passage of this critical legislation. By enacting this legislation today, we are reaffirming our commitment to our national security, and to the men and women who so ably serve and defend our nation.

Mr. CARDIN. Madam Chairman, I rise today in support of this important bill. Since 1987, my first year in the House of Representatives, perhaps no defense authorization vote has been more timely or more significant, and I am proud to join my colleagues on the floor as we consider this legislation.

The health care provisions of this bill are key. In an effort to fully meet America’s promises to the military, last year Congress created a Senior Pharmacy Benefit that took effect last April 1, and authorized expanding TRICARE to Medicare-eligible retirees and their dependents. Starting Oct. 1, 2001, all military retirees and their dependents who are age 65, or who are otherwise eligible for Medicare will be able to use TRICARE as a second payer. This year’s bill authorizes full funding for these programs, a necessary and important step that our military retirees and their spouses deserve.

In the past, military retirees who reached the age of 65 lost their TRICARE eligibility and were required to purchase supplemental policies. These policies are often expensive and do not provide the same level of care as Medicare. Congress needs to ensure that these men and women who served our nation are eligible for the best health care this nation can offer.

There is one more step that Congress should take as soon as possible to ensure that
every Medicare-eligible retiree can access the health care benefits to which they are entitled. I recently became aware of an inequitable situation facing many military retirees. Under current law, service members who fail to enroll in Medicare Part B when they first became eligible are subject to a premium penalty of 10 percent for every year they did not enroll, effectively increasing the monthly premium for a 70-year-old first-time enrollee from $50 to $75 for the rest of his or her life. Because military retirees could not have anticipated how their benefits would change, tens of thousands of retirees are now subject to these late penalties.

On June 6, 2001, the 57th anniversary of D-Day, I introduced the TRICARE Retirees Opportunity Act, legislation to waive the penalty for military retirees who enroll between January 1, 2001 and December 31, 2002. There is another barrier to full participation facing our military retirees. Current law permits late enrollees to sign up only during Medicare’s annual open enrollment period—January 1 through March 31—with benefits beginning on July 1. My legislation will create a continuous open enrollment period through the end of 2002 for military retirees so that these prospective beneficiaries may access their new coverage immediately.

Because the cost of this bill—a scant $10 million a year, as scored by the Congressional Budget Office—would affect the Medicare Part B Trust Fund, this authorization bill is not the appropriate venue to correct this inequity. However, I want to urge Congress to adopt this provision with all deliberate speed this year.

Madam Chairman, this country has done a good job of meeting the health care needs of our active duty military. The Floyd A. Spence National Defense Authorization Act of Fiscal Year 2001 was a milestone in our efforts to help the military retirees who devoted years of their lives to defend this nation. This year’s authorization bill builds upon that work. My bill takes one more important step to ensure that these retirees, their spouses, and their survivors have full access to the benefits we enacted for them last year. I urge all my colleagues to join me in support of this key legislation so that we may truly fulfill our promise to the nation’s military retirees this year.

Mr. STRICKLAND. Madam Chairman, last year a single group of veterans in my district, the 6th District of Ohio, volunteered to perform military honors at over 60 funerals. They perform this solemn duty out of the kindness of their hearts and with the deepest respect for our nation’s fallen heroes. A sad fact is that many of these same veterans lack the financial resources necessary to purchase the appropriate uniform for a full rendering of military honors to a veteran performing military honors. The DoD has even said no to the idea of providing uniforms to veterans who can demonstrate financial hardship. This decision by the Department of Defense is arbitrary and indefensible.

I am pleased that the committee leadership accepted my amendment as part of the enactment amendment which passed on September 20, 2001. This provision will require the DoD to supply the appropriate civilian uniforms to those veterans performing an honor guard program who demonstrate a financial need for such support. Posing little difficulty, this authority gives the DoD broad discretion in developing a policy of which we all can be proud.

On another matter, I would like to bring to your attention a provision in the Senate Defense Authorization Act that is of importance to workers and their survivors who were made ill as a result of their employment in the nation’s nuclear weapons facilities and beryllium suppliers to the energy Department across the nation. These facilities, the Portsmouth Gaseous Diffusion Plant, enriched uranium for the nation’s nuclear deterrent and naval propulsion programs in my district.

The Senate included technical corrections to the Energy Employees Occupational Illness Compensation Program Act of 2000—a compensation program that was included in Title 36 of the FY 2001 Defense Authorization Act. These changes embodied in Section 3151 of the Senate Committee report include:

Expanding the definition of a “survivor” for uranium miners and nuclear weapons workers to eliminate a requirement that survivors must have been under the age of 18 when the covered worker died.

Adjusting definition of the disease “silicosis” to conform to the medically accepted definition of 1/10.

Setting a 10% cap on attorney fees for contested compensation claims beyond the 2% cap for the initial filing of compensation claim.

Clarifying that rights of third party tort claimants to receive federal benefits who did not receive any recovery from these suits prior to the date enactment of the FY02 Defense Authorization Act.

Requiring a study on residual radiation and beryllium contamination in facilities that supplied materials to the Department of Energy for use in nuclear weapons.

Clarifying that leukemia will be covered without regard to age of occupational exposure to radiation (currently the law only covers those exposed after age 20) for those in a Special Radiation Exposure Cohort.

These amendments were accepted on a bipartisan basis by the Senate and the costs estimated at $100 million are covered within the direct spending authorized for the Defense Authorization Act as part of the FY02 budget resolution.

These amendments respond to concerns that were raised by hundreds of participants at the annual hearing for the Department of Labor in its implementation of the EEOICPA. It is my understanding that the Department of Labor has no formal position on these amendments, and has not raised any specific objections.

In conclusion, I hope the Armed Services Committee will agree to include in these amendments in the final legislation.

Mr. SPRATT. Madam Chairman, the devastation wreaked by terrorists on September 11, 2001 was horrendous. But had the terrorists used nuclear weapons, the death and destruction would have been exponentially greater. One essential element terrorists lack in making nuclear weapons is fissile materials, and we should make every effort to ensure that they do not obtain them. Only days before September 11, smugglers were apprehended in Turkey trying to move weapons-grade uranium out of Russia. This was not the first instance, and there is no doubt that terrorists and their sponsors are trying. There is however, reason to doubt that we are doing all that we should to keep such materials and nuclear know-how out of their hands.

The Department of Energy shares the non-proliferation campaign with the Department of Defense and focuses on its particular realm of expertise: nuclear materials. Despite the gravity of this mission, this bill follows President Bush’s request, and without explanation, cuts the DOE’s budget for stopping the spread of nuclear materials.

The Department of Energy oversees several programs to stem the spread of weapons of mass destruction, particularly nuclear weapons. All told, the DOW non-proliferation budget for FY 2001 is $874 million. The President cut those programs in his FY 2002 budget request by $101 million, a cut of almost 12 percent. The committee’s original mark did not restore this cut at all, even though the House and Senate Appropriations Committees added $71 million and $106 million, respectively, to the DOE’s non-proliferation budget in the House or Senate.

DOE’s NON-PROLIFERATION AND VERIFICATION R&D

Los Alamos National Laboratory and Lawrence Livermore National Laboratory have been involved for years in developing sensors placed on U.S., satellites to monitor the production, testing, or use of nuclear, biological, or chemical weapons. Before 1991, the program was diffuse and unfocused. This changed in the aftermath of the Persian Gulf war. When U.N. inspectors discovered that Iraq’s weapons of mass destruction programs were far more advanced than the U.S. intelligence community or anyone else had anticipated. Shortly after the Gulf War, Congress established a specific line in the DOE budget for non-proliferation and verification to develop technologies that detect the production, testing, transfer, or use of such weapons.

The President’s budget request for this critical research in FY 2002 is $170 million, which is $57.5 million (25 percent) below the 2001 level of $227.5 million. The bill ratifies the administration’s request—not one dime is added to restore this cut. Here are examples of items that will not be funded if these cuts are not reversed:

New seismic monitoring devices that will help ensure that Russia, China, or others are not improving their nuclear weapons by conducting underground tests with a nuclear yield below 1 kiloton.

The Biological Aerosol Sentry and Information System (“BASIS”) which is designed to detect a bio-terrorism attack within a few
hours so that public health agencies can react quickly and effectively to stop the spread of the agent. We do not have this capability in hand, but it is maturing: BASIS was field-tested at St. Louis City in March 2001. This cut will slow down the development of a promising technology.

Devlopment of new sensors that can detect atmospheric explosions. Our satellites that have such sensors are retiring. We do not have any new programs on hand, they were all custom built. This cut may delay the effort to build new sensors in time to be placed on replacement satellites. If not built on time, the U.S. will not be assured of the ability to detect an atmospheric nuclear explosion.

New sensors specifically geared to go on platforms to detect the production, testing, transfer, or use of WMDs. The sensors detect various “signatures”—tell-tale clues that may be chemical, electromagnetic, infrared, optical, or radio-nuclide in nature—all absolutely critical to improving the ability of the U.S. intelligence and defense community to keep watch on what countries like North Korea, Iran, Iraq, and Libya are doing.

Although the threat of WMDs is seen as the gravest threat facing the U.S., we are depriv- ing our intelligence community of the re- sources to improve the technical means to gather information and track the threat if this cut stands.

Another victim of this cut is people. Dr. John Browne, Director of Los Alamos, was in my office a few weeks ago. Besides the pro- grammatic impacts I just described, Dr. Browne is worried that these cuts will force short-term employees to seek employment elsewhere. And when they leave, they will leave for good. They will not come back to their work when the funding comes back, and not only will we lose their expertise, we will lose their ability to pass their expertise on to the next generation of scientists and engineers at the national labs.

That’s why these cuts are so shortsighted and the exact opposite of what we should be doing. I had an amendment in committee that would have funded the same level as the 2001 level, and I sought, to no avail, to do the same through my BMD amendment included in the managers’ amendment. We should not be so single-minded, so focused on the threat of ballistic missiles that we allow cuts like this to stand while bestowing a 99 percent increase on BMD.

SUMMARY OF DOE NON-PROLIFERATION ACTIVITIES

Non-Proliferation and Verification Research and Development—This program develops technologies to help the U.S. meet four primary goals:

1. Protecting nuclear weapons development efforts. The labs develop sensors that detect the tell-tale signatures of a nuclear weapons development program—which can be chemical, infrared, optical, radionuclide, or electromagnetic in nature.

2. Interdicting Nuclear Explosions. The labs develop methods to detect nuclear explosions, either atmospheric events or underground, low-yield events that require seismic detection.

3. Deterring the Spread of Nuclear Weapons. The labs develop technologies needed to improve the detection and tracking of fissile materials. These technologies include handheld devices for border security forces and au-
I am encouraged that the Armed Services Committee, the Administration and our joint Congressional leaders have crafted legislation that firmly addresses many of our military’s most pressing needs. In order to maintain a strong national defense, especially during this time of domestic and international crisis. I am also very pleased we have not forgotten our equally important responsibility of improving the quality of life of our military personnel. The current defense budget includes significant commitments to military salaries, health care, housing allowances and housing construction opportunities.

We need to assure our military that as we continue to support their readiness capabilities, we remember the personal well being of the men and women in uniform as well as their families.

While I am supporting passage of this authorization, I am particularly concerned that we are placing too high an emphasis on an untested and unproven method of defense. Specifically, the provisions in this bill that authorize an increase in funding for national missile defense. By moving forward with a costly national missile defense system, we are investing billions of scarce federal dollars in an unproven and dangerous scheme. Deployment and testing of the proposed missile defense system will jeopardize our obligations under the Anti-Ballistic Missile Treaty that has served our nation and the world well for nearly three decades. In addition, evident by the recent attacks on our country, we must consider the possibility that an anti-missile system completely fails to address one of our most serious threats of attack the introduction of chemical, biological or nuclear weapons by non-state actors through as pedestrian means. The unspeakable events of September 11, 2001, should not alter our commitment to quality of life initiatives. Five carrier battle groups are currently underway, preparing for potential offensive operations. The President has authorized mobilization of up to 50,000 Ready Reservists. Now more than ever, it is imperative that we show our appreciation for those who volunteer to go in harm’s way. Even in light of extreme uncertainty about the future, these young men and women pledge to support and defend American democracy, both at home and abroad. We owe it to them, and to their families, to keep our promise of increased safety and morale in the home and in the workplace.

This bill does just that. It authorizes $10.3 billion for construction and renovation of critical infrastructure and family housing, approximately $350 million more than the Administration’s request. Our bill includes $1.2 billion to build 51 new barracks and dormitories for single and unaccompanied service personnel. Often, our junior, single soldiers, sailors, airmen, and marines get overlooked in the rush to raise the standards on quality of life. This Committee has taken substantive steps to remedy this inequality, through improved living accommodations and a significant pay raise. The bill authorizes funding for new construction and modernization of 6,800 family housing units—a down payment on our commitment to eradicate deteriorating, World War II-era living conditions. It also makes permanent the authorities in the Military Housing Privatization Initiative that use private sector expertise and capital to accelerate improvement and construction and modernization of 6,800 family housing units—a down payment on our commitment to eradicate deteriorating, World War II-era living conditions. It also makes permanent the authorities in the Military Housing Privatization Initiative that use private sector expertise and capital to accelerate improvement and modernization of 6,800 family housing units—a down payment on our commitment to eradicate deteriorating, World War II-era living conditions.
STUMP's manager's amendment to the Defense authorization bill. This important provision adds $10,000,000 to the National Nuclear Security Agency (NNSA)’s vital defense nuclear non-proliferation activities.

The tragic events of September 11 and repeated incidents of groups trying to purchase unsecured Russian nuclear material, demonstrate in no uncertain terms that groups hostile to the United States may seek to cause wide-scale destruction to our nation using weapons of mass destruction.

The increased funding in Mr. STUMP’s amendment will enable the NNSA to continue to develop technologies to detect weapons of mass destruction, from a small nuclear device concealed in a ship’s cargo-hold to anthrax spores hidden in a suitcase. These threats are elusive and hard to counter, but our national laboratories, through the NNSA, are working on critical technologies to make our nation less vulnerable.

Madam Chairman, I remain concerned that the overall defense authorization bill does not restore the President’s cuts to the Department of Energy’s vital non-proliferation activities. These programs are instrumental in downsize Russia’s aging nuclear weapons complex, accounting for and securing Russia’s nuclear material, and preventing the outflow from Russia of nuclear weapons expertise.

I am pleased, however, that Mr. STUMP’s amendment takes a step toward improving our ability to counter the threat of weapons of mass destruction and I will work in conference to fully restore the funding to this year’s level.

I strongly encourage my colleagues to support this amendment.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee of the Whole rose.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH) having assumed the chair; Mrs. BIGGERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, pursuant to House Resolution 246, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMEND OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BONIOR. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommnit.

The Clerk read as follows:

Mr. BONIOR moves to recommit the bill H.R. 2586 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendments:

Strike section 331.

At the end of title III, insert the text of subtitle G of title III (Service Contracting Reform) of the bill, as reported (page 71, line 12, through page 81, line 15).

The SPEAKER pro tempore. The gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, let me start by saying, if this motion is adopted, we will immediately vote on final passage without further delay. It is reported back and forth or immediately back to the House. So we will vote on final passage immediately following this vote no matter what the outcome of this vote is on the motion to recommnit.

The motion to recommit simply reinstates the original provision on the question of service contracting processes that was adopted on a bipartisan basis in the Committee on Armed Services.

The motion to recommit will make the service contracting process at the Department of Defense more fair to Federal employees and more accountable to taxpayers. It will save an enormous amount of taxpayer dollars.

Right now, Mr. Speaker, less than 1 percent of defense contracts allow Federal employees a chance to openly compete for their work before it goes to the private sector. Less than 1 percent. That is not fair. When given a chance to compete, Federal employees actually win 60 percent of the contracts. Why? Because they do a great job, and they do it for less money. It is as simple as that, Mr. Speaker.

Too often what happens at our bases, and those of you who have facilities know this, private contractors get the work, they fail to do the job; and then when the Federal Government has to take over, the employees are gone. Their work experience is gone. Competition for defense contracts can reduce by 50 percent the chance to compete for their jobs before they are contracted out.

This would not prevent the Department of Defense from contracting out as long as it is done fairly. DOD is given the maximum flexibility and can waive the requirement if it is threatened by national security.

This motion to recommit is a win for the Department of Defense, a win for Federal employees, and I think a win for the taxpayers.

Mr. Speaker, I just want to reiterate again, it is like voting on an amendment. It will be brought back forthwith whether it passes or does not pass. It is a good amendment for Federal employees, for saving tax dollars and to make sure we have competition in this sector.

Mr. Speaker, I yield 1 minute to my distinguished colleague, the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, if a military base is deciding whether or not to contract out car washing at that military base, this amendment says before they can make that decision to take those jobs away from public employees, they must give those public employees a fair chance to compete for and win the contract.

Mr. Speaker, the record shows that privatization is often a failure. It means lower quality at a higher price. It means taking jobs away from people with benefits and giving them to people without benefits for private profit. But this motion is not anti-privatization. It is pro-competition and it is pro-taxpayer and it is pro-Department of Defense.

Mr. Speaker, I would urge a vote in favor of the motion to recommit.

Mr. BONIOR. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of this motion to recommit. I am a strong supporter of the contracting community. I have a very vibrant contracting community in my district. They perform an invaluable service for the defense of this Nation, in my case, for the United States Navy.

The gentleman from Michigan (Mr. BONIOR) and the gentleman from New Jersey (Mr. ANDREWS) have stated it well. What we want is we want a competition which will produce the best product for the best price. What this amendment that the gentleman from Michigan (Mr. BONIOR) is adding simply says that in the competition we will not exclude Federal employees who were doing the job now. If they lose that competition, the job will be contracted out as it ought to be.

On the other hand, if they win the competition, and the competition shows that the Federal employees can do it cheaper and better, then it ought to be done in-house because that is what the taxpayer would want. This is good for America. I frankly think it is good in the final analysis for contractors, and it clearly is fair to our Federal employees.

Mr. Speaker, I thank the gentleman for yielding me this time in support of this motion to recommit.

Mr. BONIOR. Finally, Mr. Speaker, let me say that basically what we are
saying to Federal employees is, we will not take your job away without letting you make your case. Then we will decide based on your opportunity to make your case. That is all this does. It is fair. It is supported on a bipartisan basis in committee. As I said, it will not kill this bill or send it back to committee. It will come forthwith back to the House. I hope Members will vote for it.

The SPEAKER pro tempore. The gentleman from Arizona (Mr. STUMP) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. STUMP. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I have served on the Committee on Veterans' Affairs for 15 years, and I love that committee because we are a bipartisan committee. I have as much respect for the gentleman from Missouri (Mr. SKELTON) as the gentleman from Arizona (Mr. STUMP) because the two gentlemen work in concert on every issue.

We have had a bipartisan approach under Floyd Spence, under Ron Derlums, and under Les Aspin. We have worked together to reach compromises that may not be what we want at the time, but in the end worked to the best interest of our military and our personnel. We worked out our differences.

The amendment my colleague seeks to offer today was offered identically by the gentleman from Hawaii (Mr. ABERCROMBIE) in the committee. The amendment has some problems. Despite what my colleague has said, the Pentagon has estimated it will cost $100 million a year to implement this.

Despite what my colleague has said, it will not establish a new classification system that will require every private contractor to open their records, and we do not even know what it will look like.

My colleague knows that I am a friend of labor. I have been with my colleagues on that side of the aisle on some key labor issues. I do not want anyone thinking I am not in favor of equal competition for workers.

Mr. Speaker, what bothers me about this motion to recommit is that the gentleman from Arizona (Mr. STUMP) is not offering this amendment. The gentleman from Arizona (Mr. STUMP) told me on the floor of the House before this vote? Is there a way to respond to the inaccurate statements and has thrown names around in this House before this vote? Is there a way to respond to the inaccurate statement made by the gentleman from Pennsylvania with respect to the leadership of my own party here on the committee?

Mr. STUMP. Mr. Speaker, I yield back the balance of my time.

Mr. ABERCROMBIE of Hawaii. Mr. Speaker, is there a way to respond to the gentleman from Pennsylvania?

Mr. Speaker, what bothers me about this motion to recommit is we sat on the Committee by a bipartisan majority. The language was intended to place Federal employees on equal footing as private contractors, and there were—aye 197, noes 221, not voting 12, as follows:

RECORDED VOTE

Ayes—197

Ackerman    Baldwin    Bentsen
Allen       Baldwin    Berkley
Andrews     Barcia     Berman
Baca        Barrett    Berry
Baird       Becerra    Bishop
September 25, 2001

CONGRESSIONAL RECORD—HOUSE

Page 17945

OREOS—221

Abercrombie
Aderholt
Akien
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Berenger
Biggers
Bilirakis
Bink
Boehlert
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burks
Butler
Burr
Bussler
Calahan
Calvert
Camp
Cannon
Cantar
Capitol
Castle
Chabot
Chabot
Chabot
Champion
Chappel
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesley
Chesle
There was no objection.

ADJOURNMENT FROM FRIDAY, SEPTEMBER 28, 2001, TO TUESDAY, OCTOBER 2, 2001

Mr. KENNEDY of Minnesota. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, September 28, it adjourn to meet at 12:30 p.m. on Tuesday, October 2, 2001, for special order debates.

The SPEAKER pro tempore. The question is the adjournment of the House. There being no objection, the House adjourns on Tuesday, October 2, 2001, when the House adjourns on Wednesday, October 3, 2001.

There was no objection.

DISPENSING WITH CALENDAR
WEDNESDAY BUSINESS ON WEDNESDAY, OCTOBER 3, 2001

Mr. KENNEDY of Minnesota. Mr. Speaker, I ask unanimous consent that the bill be dispensed with on Wednesday, October 3, 2001.

The SPEAKER pro tempore. There was no objection.

PREPARING OUR MILITARY TO FIGHT THE WAR OF TODAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, during the debate of the Stump-Skelton amendment regarding missile defense, I did not have the opportunity to submit my statement; and extend her remarks.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 2586, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. STUMP. Mr. Speaker, I ask unanimous consent that the action of the House in amending the table of contents, and to make such corrections as may be necessary to reflect the action of the House in amending the bill, the bill.

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

There was no objection.

ADJOURNMENT FROM WEDNESDAY, SEPTEMBER 26, 2001, TO FRIDAY, SEPTEMBER 28, 2001

Mr. KENNEDY of Minnesota. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, September 26, 2001, it adjourn to meet at 10 a.m. on Friday, September 28, 2001.

The SPEAKER pro tempore. There was no objection.

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