

HOUSE OF REPRESENTATIVES—Friday, June 5, 1992

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 5, 1992.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

You have called us, gracious God, to care for each other's needs, to bear each other's burdens, to share together in the tasks that must be accomplished, and to celebrate the unity You have given us in our common creation. We recognize that we can serve You, O God, by serving others and we are thankful for the opportunities to use our abilities in such service.

On this day we are aware of the splendid record of service by the pages who serve so faithfully in this place. As they return to their communities and to new avenues of service, we pray Your blessing upon each one of them and upon their families and ask that Your good spirit and benediction will be with them now and evermore. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Pledge of Allegiance will be led by the gentleman from California [Mr. HUNTER].

Mr. HUNTER led the Pledge of Allegiance as follows:

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

REQUEST TO VITIATE VOTES AND TO PUT THE QUESTION AGAIN TODAY IN COMMITTEE OF THE WHOLE ON AMENDMENTS OFFERED BY MR. OWENS OF UTAH AND MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent that the votes on the amendments by the gentleman from Utah [Mr. OWENS] and the gentleman from California [Mr. ROHRABACHER] be vitiated and the question be put again on those amendments to immediately follow the first recorded vote for the Committee of the Whole today.

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

Mr. HUNTER. Reserving the right to object, Mr. Speaker, and I have reserved the right to object in order to allow the gentleman from California [Mr. ROHRABACHER] to speak to this issue that he has brought before the House this morning, and I yield to the gentleman from California to explain it.

Mr. ROHRABACHER. Mr. Speaker, I thank my colleague, the gentleman from California, for yielding to me and for giving me the opportunity to express what this unanimous-consent request is all about.

After a great deal of effort put forth by a number of Members of Congress last night because a rule was in effect, that was actually the first time this rule had ever been in effect in the history of the House of Representatives, there were five Members on the floor who expected to have a vote on the issue at hand, an amendment that we have been requesting, and Members on the floor, the gentlewoman from California [Ms. WATERS], the gentleman from California [Mr. TORRES], the gentleman from California [Mr. DORNAN], the gentleman from California [Mr. ANDERSON], and myself fully expected that we had been guaranteed a recorded vote on our amendment, the amendment concerning the Department of Defense authorization bill and a limitation on bidding for various shipyards in California.

As we were in the hall, we actually were in the hall fully expecting that we had already established our right to a recorded vote, and in a totally unprecedented rule on how this would be achieved, we let that opportunity go by even though we were here, which indicates that each of us were totally expecting that we had the right to a recorded vote.

This unanimous-request consent is actually asking for a courtesy by our fellow Members that we would extend to any Member who felt that he had been wrongly denied a recorded vote on an issue that he was here and prepared to defend.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, let me say to the gentleman and to the Speaker and to the parliamentarians, this is a very unusual situation. When we are in the House, it is normal procedure to be able to vacate a proceeding and have a vote at a later date, but under this particular rule we are in the Committee of the Whole. The rule itself says that the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote, and it goes on with other language.

The problem, Mr. Speaker, and to the parliamentarians, is that if we are going to have an action like this, in other words we need to be able to have at least a request for a recorded vote while there is a community of interest on the floor.

Now, the same situation I think occurred with the Owens amendment. I do not happen to support the Owens amendment, but it is a very unusual circumstance. I think we really need to clarify this on the floor today and also to set precedents for the future, because we, in the Rules Committee, do want to accommodate. We want to be able to cluster votes.

I see nothing wrong with clustering votes, but in this particular situation, in both the Owens amendment and in the Rohrabacher-Hunter-Cunningham situation, the community of interest had actually left the floor, so that when a request was made to have 25 Members stand, there was no one on the floor to stand.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

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

Mr. CUNNINGHAM. Mr. Speaker, with all due respect, the gentleman from California [Mr. ROHRABACHER] was standing right there passing out literature when that request was made on the floor.

The gentleman from California [Mr. DORNAN] was in the back. So, there were Members here.

As a matter of fact, I heard the gentlewoman from California say, "Well, I

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

was waiting for you to make a protest or call for a vote."

The vote was never called for under the rule.

We beat this thing in the committee. We beat this thing last night and that should be the end of it.

Mr. SOLOMON. Mr. Speaker, will the gentleman continue to yield?

Mr. HUNTER. I am happy to yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would say to all the Members here, I am not taking sides on the amendment. I am not here to argue the merits of the amendment. I am here to argue on fairness for Members on both sides of the aisle.

We really do need to get this cleared up. I do not know what can be done, but perhaps if a ruling is made, we could get together with the Speaker and with the Parliamentarians to determine what we are going to do about these two situations and what we are going to do about future situations like this, because it just is not fair for Members to have a vote postponed and then have that community of interest leave the floor, regardless of what the situation was and who was present at the time. We need to get this clarified so that we do not run into this problem again in the future.

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I am happy to yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Speaker, I thank the gentleman from California for yielding to me.

Let me just say to all the gentlemen here that as far as the Democratic side and the Committee on Armed Services, we have no objection to votes on either of these amendments. We would be happy to let the House work its will on either, and frankly expected that we would have votes on both of those last night.

I think the problem is, I tell the gentleman from New York, the problem is in the rule. It was either not clear in the rule or not made clear at the time the rule passed as to what the ground rules were as far as clustering votes; but I just want everybody to understand that whatever is decided here with regard to the vote is fine with us.

□ 0910

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

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

Mr. CUNNINGHAM. Mr. Speaker, when I was in about my second month, there was a parliamentary mistake, and someone objected, and I was forced, because of the rule, not to be able to offer an amendment. This is the same exact situation. Everyone here had a fair shake. I stood there, and, if it would have been the other way, I would have asked for a vote. The vote

was not called for under the rule as it existed.

Everyone had a fair shake. The gentleman that presented the amendment was standing right there, and he had the same opportunity.

Now I know the movement of this House and the way the rules work. The gentleman from California [Mr. DEL-LUMS], one of the chairmen, is in support of this amendment, and that is the way it is going to go. If it does not go that way on a vote, I will eat the amendment.

Mr. HUNTER. Mr. Speaker, reclaiming my time for just a moment here, the facts are that, No. 1, the onus was on, of course, the gentleman who offered the amendment in the absence of the gentleman from California [Mr. DYMALLY] because the committee position was against this particular position, and the vote was suspended, and, when the voting process was placed back before the committee, the Chair very clearly said that a vote had been called on this amendment, or had been requested on this amendment, and the RECORD will bear this out, and would those who are in favor of voting stand, and at that point it was late at night, and in my estimation the lateness of the hour, and the feelings by many Members on the floor that we had gone far beyond the allotted time and the frustration that they were not being able to leave at what they considered to be a decent hour, I think, was a factor in this.

Mr. Speaker, Members simply did not stand, but the communication was made from the Chair to everyone, in a full clear voice to everyone in the Committee, that, if they so desired a vote, they should stand, as we have done many, many times, and for whatever reason Members did not stand, and I have feelings for the gentleman from California [Mr. ROHRBACHER] and his excellent representation of the people in his community. I must say that myself, and the gentleman from California [Mr. CUNNINGHAM] and the gentleman from California [Mr. PACKARD] also have a duty of representation toward our constituents, and for that reason we are constrained to object.

Mr. ROHRBACHER. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield one last time to the gentleman from California, and then I am going to object.

Mr. ROHRBACHER. Mr. Speaker, it is very clear what is going on here. The gentleman from California [Mr. CUNNINGHAM] just noted when he was here for 2 months that he made a mistake on interpreting a rule, and he did not get to do something. We are not talking about Members who have been Members for 2 months, like Mr. CUNNINGHAM. We are talking about a situation where we have five relatively senior Members who did not understand what that rule was because there

was something wrong with the rule. In fact, this was the first time in the history of this body that that rule had been used.

Mr. Speaker, that is the reason why we have a problem here. This is not the problem of someone who legitimately, one individual Congressman who made a mistake. This is a situation where we have five long-time Members of Congress who understand the rules, who were under the impression that a vote, a recorded vote, had been guaranteed to them. We were in the Hall. The fact that one could point to us and say, "Yes, he was there, and he had his opportunity," and that I did not step forward, nor did the gentleman from California [Ms. WATERS], the gentleman from California [Mr. TORRES], the gentleman from California [Mr. DORNAN], or the gentleman from California [Mr. ANDERSON] who were also in the Hall, indicate that a wrong has been done in the sense that something was communicated to us which now has denied us a right to a recorded vote.

Mr. Speaker, this is very dissimilar from a freshman Congressman here 2 months not understanding the rules. This rule has never been used before. It would be a travesty to deny five Members, long-time Members of Congress, what they believe they had, a right to a recorded vote.

Mr. HUNTER. Mr. Speaker, if I could reclaim my time, let me just say to my friend, "If you look at the history of the House, the time when the Members are most reluctant to stand up for a recorded vote is usually late at night, and that's not because they didn't hear. It's usually because they're not inclined to want to take a recorded vote."

Now, the Chairman very clearly, in a very clear voice, said that a recorded vote—first it was announced to the entire Committee that the votes would be rolled, and people knew that. Everyone knew that, and, when that time came about, it was announced in a very clear voice that a vote had been requested and for those Members who were inclined to want to vote to stand, and Members simply did not want to stand, and because of that and because, I think, of our responsibility to represent our constituents, just as the gentleman from Long Beach has a responsibility to represent his constituents, I am inclined to object.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield one last time to the gentleman from California, and then I am going to object.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman from California [Mr. HUNTER], and to my friend, the gentleman from California [Mr. ROHRBACHER], the case was not that the Members did not understand, the five Members. If he will refresh his

memory, the gentlewoman from California [Ms. WATERS] walked up to him last night and stated, "Mr. ROHRBACHER, I kept waiting for you to call for a vote, and you didn't do it." She understood the rule, this freshman understood the rule, and I cannot believe that five Members did not understand the rule.

Mr. Speaker, the whole House was sitting here under the same circumstances where the Chairman of the Committee of the Whole House asked for people to stand and be counted for a vote. No one wanted to do that, and, under the rules of the House, this is the way it should fall in my opinion.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from California?

Mr. HUNTER. Mr. Speaker, I object.
The SPEAKER pro tempore. Objection is heard.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993

The SPEAKER pro tempore. Pursuant to House Resolution 474 and Rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5006.

□ 0918

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. 5006) to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes, with Mr. SANGMEISTER (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, June 4, 1992, amendment No. 71, printed in part II of House Report 102-545, offered by the gentleman from Colorado [Mr. SKAGGS] had been disposed of.

It is now in order to consider amendment No. 10 printed in part I of House Report 102-545.

It is now in order to consider amendment No. 11 printed in part I of House Report 102-545.

AMENDMENT OFFERED BY MR. DELLUMS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DELLUMS: Strike out sections 232 and 233 (page 39, line 19, through page 43, line 8) and insert in lieu thereof the following:

SEC. 232. STRATEGIC DEFENSE INITIATIVE LIMITATIONS.

(a) REPEAL OF MISSILE DEFENSE ACT OF 1991.—The Missile Defense Act of 1991 (part C of title II of Public 102-190) is repealed.

(b) TERMINATION OF SDIO.—The Secretary of Defense shall terminate the organization within the Department of Defense known as the Strategic Defense Initiative Organization and shall reassign the functions of that organization to the military departments and the Defense Agencies as the Secretary considers appropriate.

(c) SDI FUNCTIONS LIMITED TO BASIC RESEARCH.—Funds appropriated or otherwise made available for the Strategic Defense Initiative for fiscal year 1993 may only be obligated for basic research programs.

(d) FISCAL YEAR 1993 FUNDING.—Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for fiscal year 1993 for research, development, test, and evaluation, not more than \$1,200,000,000 may be obligated for the Strategic Defense Initiative. The amount provided in section 201 for the Defense Agencies is hereby reduced by \$1,039,775,000.

The CHAIRMAN pro tempore. Is there a Member opposed to the amendment of the gentleman from California?

Mr. KYL. I am opposed to the amendment, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] will be recognized for 15 minutes and the gentleman from Arizona [Mr. KYL] will be recognized for 15 minutes.

The Chair recognizes the gentleman from California [Mr. DELLUMS].

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

Mr. Chairman and Members of the Committee, the Dellums-Boxer amendment would do four things: One, repeal the Missile Defense Act; two, terminate the Strategic Defense Initiative Organization; three, limit the research and strategic defense technology to basic research only; and, finally, to fund the basic research at the level of \$1.2 billion in fiscal year 1993.

Mr. Chairman, in the past the Star Wars Program has been a misconceived initiative wasting billions of taxpayers' dollars in the pursuit of a never-ending, always-changing variety of basing modes and questionable technologies.

□ 0920

Since the passage of last year's Missile Defense Act, it has gone from a research program to an accelerated lunge for deployment.

What it contemplated, Mr. Chairman, in the Missile Defense Act of last year is a so-called treaty compliant ground-based strategic defense system at Grand Forks, and beyond that, multiple sites at several different places throughout the country. Third, space-based sensors, perhaps even space-based interceptors of a full-blown system.

Mr. Chairman, at a time when our Nation faces its most urgent problems in its cities, in its classrooms, and in its very soul, we are being asked to approve a \$4.3 billion budget in 1 year alone to protect us from a barely imaginable, highly unlikely, military threat

far off in the future. This figure, if approved, may very well climb even higher in conference with the other body.

The strategic defense initiative should have been stopped, Mr. Chairman, when it was still being packaged as an umbrella like shield over the entire United States, picking off all incoming missiles from a massive strategic attack by the Soviet Union, in this gentleman's opinion, a flight into fantasy.

Now, as world events and technological shortcomings make that scenario laughable, it has been repackaged to address the newly discovered threat of limited accidental or unauthorized launches from the former Soviet Union, or from potential strikes by suicidal Third World leaders.

The Missile Defense Act was passed after only one and one-half days of debate on the floor of the other body, with no hearings, Mr. Chairman, and no hearings and no debate in these Chambers, the House of Representatives.

While defense spending is coming under increasingly intense scrutiny, the fiscal year 1993 request by the administration for SDI funding, \$5.4 billion, represents a 32-percent increase over fiscal year 1992, and a whopping 75-percent increase over fiscal year 1991.

Committee funding to the tune of \$4.3 billion represents a 23-percent increase over the House-passed level of 1991, and an 87-percent increase over the House-passed level in 1990. At a time when the military budget is on the decline, you can see that the one portion of this budget that is dramatically escalating is our commitment to SDI and our commitment to deploy a system at Grand Forks and other sites with dubious value.

Having made those initial remarks, Mr. Chairman, let me make the following observations. The Dellums-Boxer amendment with the repeal of the Missile Defense Act separates out the funding of theater missile defense technologies and speaks only to the funding of SDIO and strategic defense technologies. It provides the opportunity to continue research, basic research, and I underscore that for the purposes of emphasis, a robust \$1.2 billion, no small amount of money. But more importantly, it would end the costly, wasteful, and unnecessary star wars program.

A comment with respect to the ABM Treaty, Mr. Chairman: The strategic defense initiative, and in this gentleman's opinion the Missile Defense Act, have represented a concerted attack on the efficacy of the ABM Treaty, the administration's plan, and the bipartisan plan offered by our distinguished colleagues, the leaders of the Committee on Armed Services and the other body, which would each require the ABM Treaty to be either abrogated or to be dramatically renegotiated.

It has always been the position of this gentleman that whenever we confront the possibility of abrogating a treaty or dramatically or drastically renegotiating a treaty, that we should treat very lightly.

The ABM Treaty abrogated or significantly renegotiated in this gentleman's opinion would generate a new arms race further and further into space, escalating danger, and spending billions of dollars that ought to be rightfully redirected to address the real national security needs of this Nation, its economy, its social climate, and its very soul.

With respect to the threat, Mr. Chairman, this gentleman chairs the Subcommittee on Research and Development of the House Committee on Armed Services. In that capacity we held hearings on the issue of the threat.

As a result of those hearings I would state and assert here on this floor, Mr. Chairman, that there is a disconnect between the threat and the response to the threat.

R&D hearings on the threat of incoming nuclear weapons show that there is far more likelihood that a nuclear device would be smuggled into this country and placed in a strategic location before detonation than there is the threat of an ICBM attack.

If the threat is Third World countries, that is not going to be a threat of an ICBM coming across the horizon. It will be a backpack weapon smuggled into this country.

So to build this monument to madness in Grand Forks and contemplate multiple sites, when way beyond the year 2000 the threat does not come from that level, staggers this gentleman's imagination and wastes our resources.

With planned reductions, Mr. Chairman, in the nuclear arsenal of the former Soviet Union, the ICBM threat continues to decrease. So why then are we rushing to deploy this weapons system that attempts to address a threat that it cannot in any way address?

With respect to the expense, at a time when American people are asking us to scrutinize our budget carefully and redirect the priorities of this country, let me make this observation: limiting SDI to the options that we propose in this amendment would save \$60 billion—not million—\$60 billion by the year 2005, compared to the administration's plan.

Mr. Chairman, I would suggest that that savings would probably go far beyond \$60 billion when you contemplate cost overruns that I think will be inevitable as we continue to move toward this technological monstrosity.

We can save then \$26.4 billion compared to pursuing the proposal offered by our distinguished colleagues in the other body with respect to the multiple site ABM system.

There are a number of other observations that I may make at other points in this debate, but let me summarize by saying this SDI Program is unnecessary, it is wasteful, and it is dangerous.

To conclude, this amendment repeals the Missile Defense Act so we do not rush to judgment deploying weapon systems at Grand Forks. It terminates the Strategic Defense Initiative Office, put it out of business. It limits research, limits the SDIO to basic research, not deploying some ground-based treaty compliant system that ultimately ends up as a space-based system. Finally, it would limit the research to a figure of \$1.2 billion, substantially below the \$5.4 billion requested by the administration or the \$4.3 billion brought to the floor by the Committee on Armed Services.

Mr. Chairman, with those remarks, I reserve the balance of my time.

Mr. KYL. Mr. Chairman, I yield myself 2 minutes, and then I will yield to other Members on our side in order to even up the time.

Mr. Chairman, the gentleman from California [Mr. DELLUMS] has been making this eloquent argument for years, and we have engaged in some very interesting debates on that point. But the consensus of the Congress has passed his arguments by.

As a matter of fact, last year this Congress entered into an historic consensus agreement called the Missile Defense Act which resolved the differences between the two parties and two bodies to generate a long-term program for the development and deployment of missile defenses. It represented the first real bipartisan consensus on missile defense.

Obviously, to change that agreement now, as our colleague suggests, would put the program in great turmoil. It would devastate it. It would waste billions of dollars already spent. It would certainly destroy the upcoming talks between President Bush and President Yeltsin.

As a matter of fact, I wonder whether some who accuse conservatives of not appreciating the fact that the cold war is over themselves appreciate the fact that the cold war is over. It is hard for some folks to take yes for an answer.

In a recent statement to the United Nations, Russian President Boris Yeltsin said this:

I think the time has come to consider creating a global system for protection of the world community. It could be based on a reorientation of the U.S. strategic defense system to make use of high technologies developed in Russia's defense complex. Russia considers the United States and the West not as mere partners, but as allies.

This is what President Bush and President Yeltsin are going to be talking about, a cooperative missile defense program that not only would apply to the former republics of the Soviet Union, but the United States and the other places in the world.

□ 0930

That brings me to the last point I would like to make before yielding to some of my colleagues. Repealing the Missile Defense Act and terminating the SDI Program is bad enough, but taking the amount of money down to \$1.2 billion for basic research only would also eviscerate the theater defense program, and that is a program necessary to respond not to challenges in the future, not to something after the year 2000, but to the challenges we have already faced and that have cost the lives of 29 young Americans as a result of the Scud attacks in Saudi Arabia during the Persian Gulf war. That is a threat that is existing, it is real, it is known, and I think most of our colleagues appreciate the fact that we cannot develop and deploy that defense on \$1.2 billion. Despite what my colleagues say here, it is not possible. That comes from the Department of Defense and the Strategic Defense Initiative Organization.

As a result of that, Mr. Chairman, I think that the Dellums-Boxer amendment should be defeated.

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

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding. As we go through these defense bills year after year, it becomes obvious to me in the House that some things we do are fairly smart and some things we do are not as smart.

The strategic defense initiative, I think Members are beginning to appreciate, Members on both sides of the aisle and the American people, that SDI was a smart idea. I can recall in the last 10 years it has been at one time a political issue. The Democrat Presidential contender, Mr. Mondale, at one time is great good faith, I am sure, declared that he would not pursue the strategic defense initiative because it was, in his words, war in the heavens. Yet, when we knocked those Scuds out of the air with Patriot missiles and those Scuds were ballistic missiles, and we knocked them down, we proved it could be done. The American people, and I am sure Mr. Mondale himself, said "Thank heavens."

So we realize that we have entered squarely the age of missiles, and that means that we must have a defense against them. It became clear to us, at least in the gulf, that the most severe threat that we faced from Saddam Hussein was the possibility of his missiles landing without being destroyed by our Patriot system and killing Americans. In fact, that did happen, but it would have happened to a much greater degree if we had not had a defense system.

Most people do not realize how close we came to not having any defense system, because the only system we had was the Patriot system. It was initially

an air defense system, designed to work against aircraft. It was upgraded to be able to take some of the very, very slow ballistic missiles, and thank God we did have it when the war in the gulf began.

I would just urge my colleagues to continue this good reasoning that they have embarked upon in supporting a fairly substantial level of strategic defense initiative spending. It is the right thing for America. We need it.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield briefly to me?

Mr. KYL. Mr. Chairman, I will continue to take some time in order to balance the time, and I am happy to yield to my colleague, the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding. Just to correct my distinguished colleague in one of the remarks he made in his opening statement, this amendment does not touch the \$1.1 billion that relates to theater ballistic missile defense. What this amendment does address is the \$1.2 billion of basic research in SDI, so that the total would be \$2.3 billion, if we add back in the \$1.1 billion that we do not touch with respect to theater ballistic missiles, and the CBO states that \$1.2 billion in basic research would be a robust amount of money.

Mr. KYL. Mr. Chairman, I appreciate that clarification from my colleague. I misspoke with regard to the \$1.2 billion. The point I was trying to make is that because so much of the space-based system is funded through the strategic program, in fact, all of it is, and since space-based components are an essential part of a ground-based system—for example, we used the space-based components to cue our Patriot missiles in the Persian Gulf—it is not going to be possible to deploy a ground-based system without also funding our space-based system to some extent. I appreciate the clarification.

Mr. Chairman, I yield 3½ minutes to the gentleman from Colorado [Mr. HEFLEY].

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

Mr. Chairman, here we go again. I have been here 6 years, and all 6 years we do the same drill. The gentleman from California [Mr. DELLUMS] gets up and he says, "I hate SDI. Let us do away with it." The gentleman from Arizona [Mr. KYL] gets up and says, "I love it. Let us fund it adequately." The rest of us jump in between on one side or on the other, and we go through the bill.

I sometimes wonder why we put the body through this each year. Why can we not just get up and say, "Remember my speech last year? That is the one," and on both sides we would have it done. However, since we are going through the drill, let me get up to give my position again on this whole thing.

I rise to support a very strong, vigorous SDI program, which would provide adequate funding for SDI and stand against the Dellums amendment. I know there is a great sincerity on both sides of this argument. I think the facts are on our side. As many of my colleagues know, it is not a question any more of whether or not we have the technology and the capabilities to deploy SDI. We do have those capabilities. Most scientists do not even argue that point anymore.

The true question is if and when it should be deployed. It has been proven that we do have the technology and we are capable of deploying a system, even in this very decade. The decision must be made whether or not Congress is going to adequately fund SDI. The bill currently provides \$3.2 billion for a strategic defense system, which is just as important in our world today, I believe, as it was at the height of the cold war.

This is not, in my opinion, enough funding for SDI. In fact, I would prefer the Kyl amendment. I do not know whether that is going to be offered or not. I would prefer that level, but if that is not going to be offered, at least this provides a decent, reasonable level to proceed with the SDI Program.

I strongly believe that SDI is our Nation's No. 1 defense priority. The cold war may be over and relations with the former Soviet Union have not been better in a long, long time, but the Commonwealth of Independent States is still a huge conglomeration of military power, with 28,000, they tell us, warheads on missiles over there. It is unstable by its ethnic and economic turbulence. We do not know who owns these warheads. They are still in Iran, Syria, North Korea, and terrorist groups all around the world.

The Persian Gulf war should have taught us something. The horror of Scud missiles raining on Jerusalem brought on a sense of helplessness. Worse yet, when the Scuds were intercepted by the Patriot missiles, debris caused extensive damage and many lives lost on the ground.

A space-based interceptor system would have been able to avert such a disaster. The key to a good theater missile defense system is to rain debris on the enemy, not on yourselves. By the year 2000 it is estimated that 20 countries will have capabilities to launch ICBM's, and these can carry both chemical, biological, nuclear warheads. We do not know. I do not know about the Members, but this is a very frightening thought to me. After the United States bombing of Libya, Mu'ammarr Qadhafi stated if he had nuclear capabilities at the time he would have launched missiles at New York City.

□ 0940

For me this is one of the best reasons to protect our Nation and deploy an SDI system as soon as possible.

Realistically, I do not think we could have ever provided a shield against a massive Soviet Union attack, but I do think we have the capability now, the possibility of providing an absolute protection against the kinds of threats that are out there today.

The Kyl amendment would have provided us, as I said, with the kind of resources we need to deal with this issue. The Dellums amendment would destroy SDI. The middle ground is the committee mark, and I would hope that we would at least adhere to the committee mark.

Mr. DELLUMS. Mr. Chairman, I yield myself 1 minute.

Let me respond to my distinguished colleague with respect to the repetitive nature of the speeches.

This whole process is repetitive. We bring the military budget each year. These issues come up each year, but they come up in a rapidly changing environment. Perhaps some of us have greater wisdom than others. Perhaps some of us are 10, 15, or 20 years ahead of our time.

And perhaps others are 20 years behind the times.

Let me now quote from the Director of the Central Intelligence Agency, Robert Gates, with respect to unauthorized launches.

The experts in our community do not believe that there is a concern about an unauthorized launch of any of the Soviet strategic systems or tactical systems. Our confidence level is strong on command and control, and we are further heartened by the measures that they are taking to strengthen their command and control.

The Director of the Central Intelligence Agency, Robert Gates.

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

Mr. KYL. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, with regard to the last point that Mr. DELLUMS has made, CIA Director Bob Gates has indeed testified that our country has confidence in the Soviet command and control and would not expect an accidental launch. Of course, there was an accidental launch in the Soviet Union about a year ago. Fortunately, it did not do any harm. It did not go very far. But Bob Gates has also testified before our committee on numerous occasions that there are a variety of other threats that will be developing over the course of the next 7 or 8 years.

Indeed, about two dozen Third World countries will pose a ballistic missile threat and will have weapons of mass destruction, chemical or biological warheads to associate with those missiles.

As a result, Bob Gates says that this proliferation question is his highest concern. So if we are going to quote the Director of the CIA, I think he falls on the side of protection by ballistic missile defense and would certainly oppose the amendment presented by the gentleman from California.

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

Mr. CUNNINGHAM. Mr. Chairman, for my friend, the gentleman from California [Mr. DELLUMS], I serve on the Subcommittee on Research and Development with him. I have great respect not only for his chairmanship but for his leadership and his knowledge on this particular system.

I agree in part with my friend from California. I think that a Third World country, if they launch a nuclear weapon, it is going to be on a ship coming into New York Harbor or San Diego Harbor, and they are going to explode it.

My real concern is, and I believe the gentleman sits on the Permanent Select Committee on Intelligence also, that we have over 10,000 nuclear warheads today looking at us here in this country, correct me if I am wrong, that when that threat is diminished, then, yes, I would say that we do not need to support SDI as much. But today it does.

From my own experience of 20 years in the service, the one time that my defensive system did not work, I was shot down with a surface-to-air missile over North Vietnam. As far as an unauthorized launch, it only takes one missile. And we are going to lose a lot of people.

Mr. KYL. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I was working at the White House when the strategic defense initiative was first proposed by Ronald Reagan. I remember how Ronald Reagan was belittled and was made fun of by many people on this proposal, and they said that it would further the cold war and how horrible it was going to be and how expensive it would be.

All the predictions have been proven wrong. In fact, when I have talked to people from the Soviet Union, people who were in the leadership, they now admit that it was the strategic defense initiative that actually broke the will of the Communist dictators to fight, to continue this aggressive stance against the West.

The strategic defense initiative has already served mankind well. Just because the Soviet threat has dissipated does not mean that its usefulness to mankind has dissipated.

The fact is, we will face adversaries in the future, perhaps even more threatening than a monolithic power like the Soviet Union.

We will face the Saddam Husseins of the world and the Qadhafis of the world. We will face the nutballs all over the Third World who might be willing to shoot a nuclear missile at the United States.

A defense against them is a very good idea.

Mr. KYL. Mr. Chairman I yield such time as he may consume to the gentleman from Louisiana [Mr. MCCRERY].

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

Mr. Chairman, I rise in strong opposition to the Dellums-Boxer amendment. If adopted, this amendment would eliminate the Strategic Defense Initiative Program Office. Further, it would confine inquiry on strategic missile defense to basic rather than applied research. That is, we would be able to think about ways to protect American troops and citizens from any future attack by ballistic missiles, but we would not be able to do anything about it.

Mr. Chairman, the sponsors of this amendment claim it will have no effect on tactical ballistic missile defense activities. This argument ignores the fact that advancements in strategic missile defense can, in many cases, be applied to the problem of defending against tactical missiles. If you reduce research on strategic defense by \$2 billion and restrict that effort to basic research, make no mistake about it, you have significantly hampered efforts to provide defense against tactical missiles.

Perhaps an even more compelling reason for voting against this amendment is that, if adopted, it would repeal the Missile Defense Act.

Mr. Chairman, last year I thought we had reached a watershed on strategic missile defense. With the lessons of the Persian Gulf war before us, this Congress, by passage of the Missile Defense Act, had established as a national goal the development and deployment of a strategic missile defense system.

Mr. Chairman, at least 15 additional nations will have the capacity to produce ballistic missiles by the end of this decade. Despite our efforts to reduce the proliferation of nuclear weapons technology, can we say today that some future enemy will not have the capacity to produce a ballistic missile capable of launching a nuclear warhead targeted at the United States?

My friends, regardless of where it is targeted, regardless of how many or how few Americans are killed or injured, regardless of how much or how little property is damaged, the detonation of a single nuclear warhead in this country is an unacceptable outcome.

As I said during my remarks under general debate, if you are inclined to vote for this amendment ask yourselves how you will explain to your constituents, if on some future day this country is attacked, why today—when we had the opportunity and after we had already made the commitment to protect the American people from such an attack—you failed to live up to that commitment.

Mr. Chairman, to my friends I ask that we keep our word to the American people and I ask Members to vote against the Dellums-Boxer amendment.

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to my distinguished colleague, the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I rise in strong support of this amendment. If we are not bereft of our senses, we are going to finally figure out that this is a bad program.

Mr. Chairman, the strategic defense initiative is a failed program that has become a sinkhole for the taxpayers' dollars. Of the \$29 billion invested so far on SDI, over 25 percent of the funds went to projects that were cast aside as unworkable, unaffordable, or unneeded, including:

A \$1 billion surveillance satellite to track missiles;

A \$1.2 billion ground-based laser to zap missiles;

A \$1.8 billion nuclear bomb pumped x-ray laser; and

A \$623 million guided rocket to intercept missiles.

Not only has SDI been packaged in a variety of failed and expensive physical designs, but it has also been packaged in a variety of theoretical purposes to fit the times. Initially, SDI was a mad tool designed to ensure the survivability of a second-strike nuclear capability. Then, the Reagan administration tried to paint SDI as a nuclear shield that would protect American civilians from a nuclear attack. As the Soviet Union disintegrated, SDI became a tool to fight Third World terrorists who might develop a nuclear weapon. It can be assumed that as the killer bees move north, SDI can be repackaged to fight them, too.

Even CIA Director Gates has testified that our adversaries, aside from the former Soviet Union, are at least a decade away from possessing the missile capability which SDI seeks to address.

Furthermore, a number of reports lately have called into doubt SDI's ability to perform its function and whether that function is legal. A story was leaked to the New York Times that says an Assistant Secretary of Defense says that the SDI Program is being rushed ahead, and needs to be delayed and overhauled. Otherwise, the DOD will be deploying an untested system that may not perform and will be orbiting useless space junk. The Assistant Secretary says that the program should delay deployment to at least 2003. Another story was leaked to the New York Times saying that a DOD report has concluded that even the most basic SDI system would totally violate the ABM treaty.

In short, SDI is a system that does not work and was built to fight an enemy that no longer exists. I support the Dellums-Boxer amendment to curtail this wasteful program.

Mr. DELLUMS. Mr. Chairman, to close debate on this side, I yield such time as she may consume to the gentleman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Chairman, here it is, June 1992, and the committee bill now under consideration contains the highest level of funding for the star wars program ever—\$4.3 billion. It does not make sense to me that while the overall defense budget is going down based on the fact that the Soviet threat has disappeared, this program is still going up.

What has changed in the past year to warrant this outrageous increase of billions of dollars on a program that is reborn with a new mission and a new identity every year we meet to debate the defense bill?

Let me tell you what I think has changed.

The Soviet Union is now officially dead, over, finished, unlike 1984, when tensions between the United States and the Soviet Union were high and star wars was born. The Soviet Union has been replaced by a collection of Republics struggling to keep their people clothed and fed. Indeed, President Bush and this Congress are trying to respond to that.

What else has happened in the past year to warrant the increase?

The General Accounting Office has said the \$30 billion we've already spent is just a down payment.

The GAO also says that the system is still so riddled with risk and uncertainty, it may never provide the level of protection the Pentagon promises.

That is nothing new. Every year we meet, star wars has a changed mission. What else is new?

A high level star wars scientist, Aldric Saucier, has charged that there is substantial fraud in the star wars program. He says the program is less science and more a way to keep money flowing to contractors. As with many other whistleblowers, the Pentagon is trying to fire him and that is a disgrace.

What else do we know this year that we did not know last year? The Army has admitted that it exaggerated the success of the Patriot missile in the Persian Gulf. As we know, this does not reach to the Patriot missile. We all support continued research and development of that. But rather than the 80 percent success rate, the Army now says that there may only have been a 40-percent rate of engagement.

I am proud of the Patriot's 40 percent success rate. But my point here is simply that the Patriot system has been in development and production for 20 years. If this is the best it can do in a fairly benign environment with one incoming Scud at a time, no decoys, what does that say about the resources that must be devoted to producing a system to handle a far more complex, sophisticated and deadly threat? What are the chances that the Pentagon can achieve a success rate for star wars any time soon that justifies the immense cost?

□ 0950

Now what has happened in the past year to justify more star wars money? Certainly not the graphic demonstration in Los Angeles that our cities are in desperate trouble. That was a cry for education, for hope, for job training, for jobs to rebuild our cities and our infrastructure. It was not a cry for star wars.

We need to fight the real wars that we face, the wars against poverty, and racism, illiteracy, and AIDS, and cancer, and Alzheimer's, and unemployment, and a raging deficit, and failing competition in a global economy.

So, in conclusion, vote for a \$1.2-billion basic missile defense research program that will prepare us for any future threat. The Dellums-Boxer amendment is what we need for 1992.

Mr. KYL. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I urge my colleagues again to vote no on the Boxer-Dellums amendment which would eviscerate the SDI Program. It is not the committee position. Of course, it is nowhere near the committee position.

There were three basic arguments by the gentlewoman from California. First of all, the cold war is over and, therefore, we do not need SDI. I have used a similar argument myself, because the only country that people seem to be concerned with is the Soviet Union. And yet, I have cited Robert Gates, our Director of the CIA, who has pointed out that by the end of this decade we are going to have 20 to 24 Third World countries that will possess the kind of capability that will pose a threat to our allies, to our forces deployed abroad, and in some cases in the not too distant future, even to the continental United States. So the former Soviet Union is not the only potential enemy out there, and, therefore, this cold war argument I think is specious.

Second, the gentlewoman pointed out the success of the Patriot was exaggerated, and to some extent that is correct. The Army, during the Persian Gulf war did not have data to carefully construct or reconstruct the situation, and the results were exaggerated. It turned out to be about half as effective or 60 percent as effective as originally determined. And she asks what does that say about the program.

I think it says two or three things. First of all, the program that was in development 20 years ago was not an anti-ballistic missile program. That program was an air defense program, and indeed it is a remarkable feat that the people that developed the Patriot as an air defense program were able to convert it into a ballistic missile defense in literally a matter of weeks; and, as a matter of fact, under those circumstances, most experts believe that it performed quite well. But it is true that it did not perform well enough, and that is the whole purpose for advanced development. We cannot rely upon a very rudimentary system such as the Patriot to counter more sophisticated threats or robust threats that we are going to be faced with in the future.

The science argument is over. The legitimate scientists no longer question whether the concepts of SDI are going to work. So I believe that the second argument fails.

Finally, the gentlewoman pointed out that we have other needs in this country, and that is true. We have always had dual needs. But one of the first obligations of this Congress is to

provide for the common defense, and that means that we have to have an adequate defense policy.

Entitlement spending in this country has gone up over 400 percent since the 1960's, and defense spending has gone up about 144 percent, as I recall. Defense spending is not easing out spending on other programs.

Let me quote something to end this debate. It comes from the general who commanded our troops in the Persian Gulf, General Horner, who ought to know how important this system is. He said, "I really believe we need to develop some theater ballistic missile defense system that you can put in space over a theater of operations such as Iraq." That goes to the first point the gentleman from California [Mr. DELLUMS] was making, that a ground-based theater system alone is sufficient. The general who commanded our troops there and who was responsible for those 28 brave Americans who died there understands that we need a combination of ground-based and space-based system. That would be impossible to develop under the funding levels suggested by the Dellums-Boxer amendment, and that is one reason why this amendment should fail.

Mr. Chairman, at the end of the day we are faced with a situation where we either go forward with the Missile Defense Act which represented the bipartisan consensus of this Congress a year ago, or we totally eviscerate the SDI Program. If that is your choice, you should vote for the Dellums-Boxer amendment. But if you want to continue this compromise program that was developed last year, you should vote no on the Boxer-Dellums amendment.

The CHAIRMAN pro tempore (Mr. SANGMEISTER). The question is on the amendment offered by the gentleman from California [Mr. DELLUMS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 117, noes 248, not voting 69, as follows:

[Roll No. 168]

AYES—117

Andrews (ME)	DeFazio	Frank (MA)
Applegate	Dellums	Gejdenson
Atkins	Donnelly	Gephardt
AuCoin	Dooley	Glickman
Blackwell	Dorgan (ND)	Gonzalez
Bonior	Downey	Hall (OH)
Boxer	Durbin	Hayes (IL)
Bruce	Dwyer	Horn
Bryant	Early	Hornbuckle
Carper	Eckart	Jacobs
Clay	Edwards (CA)	Jontz
Collins (MI)	Engel	Kanjorski
Condit	Espy	Kennedy
Conyers	Evans	Kildee
Cox (IL)	Foglietta	Kleczka
Coyne	Ford (TN)	Kopetski

Kostmayer
LaFalce
Leach
Levin (MI)
Long
Lowey (NY)
Markey
Martinez
Matsui
Mavroules
Mazzoli
McDermott
McHugh
Mfume
Mineta
Moakley
Moody
Mrazek
Murphy
Nagle
Neal (MA)
Nowak
Oberstar

Obey
Oliver
Owens (NY)
Panetta
Pastor
Payne (NJ)
Pease
Penny
Perkins
Peterson (MN)
Poshard
Rahall
Rangel
Reed
Rose
Roybal
Russo
Sabo
Sanders
Savage
Sawyer
Schroeder
Schumer

Serrano
Shays
Sikorski
Skaggs
Slaughter
Smith (FL)
Solarz
Staggers
Stark
Stokes
Studds
Swift
Synar
Towns
Traficant
Vento
Washington
Waters
Waxman
Weiss
Wheat
Wyden
Yates

Smith (NJ)
Smith (OR)
Smith (TX)
Snow
Solomon
Spence
Spratt
Stallings
Stearns
Stenholm
Stump
Sundquist
Swett

Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Upton
Valentine
Vislosky
Voikmer

Walker
Walsh
Weber
Weldon
Wilson
Wise
Wolf
Wyllie
Yatron
Young (FL)
Zeliff
Zimmer

NOES—248

Allard
Allen
Anderson
Andrews (NJ)
Andrews (TX)
Annuizio
Archer
Army
Aspin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Berman
Bevill
Billbray
Billrakis
Bliley
Boehlert
Boehner
Borski
Boucher
Brewster
Browder
Bunning
Burton
Callahan
Camp
Cardin
Carr
Chandler
Chapman
Clement
Coble
Coleman (MO)
Coleman (TX)
Combest
Cooper
Costello
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Darden
Davis
DeLauro
DeLay
Derrick
Dickinson
Dicks
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Edwards (TX)
Emerson
English
Erdreich
Ewing
Fascell
Fawell
Fazio

Fish
Franks (CT)
Frost
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Gordon
Goss
Gradison
Grandy
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Henry
Hoagland
Hobson
Holloway
Hopkins
Horton
Houghton
Hoyer
Huackaby
Hughes
Hunter
Hutto
Hyde
Inhofe
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Kaptur
Kasich
Kennelly
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
Lantos
LaRocco
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lloyd
Lowery (CA)
Mantley
Manton
Marlenee
Martin
McCandless

Abercromble
Ackerman
Alexander
Anthony
Beilenson
Brooks
Brookfield
Brown
Bustamante
Byron
Campbell (CA)
Campbell (CO)
Clinger
Collins (IL)
Dannemeyer
de la Garza
Dingell
Dixon
Dymally
Feighan
Fields
Flake
Ford (MI)

NOT VOTING—69

Gaydos
Gibbons
Green
Hatcher
Hefner
Herger
Hertel
Hubbard
Ireland
Jones (GA)
Kolter
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levine (CA)
Lewis (GA)
Livingston
Luken
McDade
Miller (CA)
Miller (WA)
Mink

Morella
Morrison
Nichols
Oakar
Olin
Patterson
Pelosi
Porter
Pursell
Ray
Rostenkowski
Roth
Scheuer
Thomas (CA)
Torres
Traxler
Unsoeld
Vander Jagt
Vucanovich
Whitten
Williams
Wolpe
Young (AK)

□ 1016

The clerk announced the following pairs:

On this vote:

Mr. Beilenson for, with Mr. Herger against.
Ms. Pelosi for, with Mrs. Morella against.
Mr. Ackerman for, with Mr. Porter against.
Mr. Wolpe for, with Mr. Roth against.
Mr. Scheuer for, with Mr. Thomas of Louisiana against.
Mrs. Collins of Illinois for, with Mr. Ray against.

Mr. McMILLEN of Maryland changed his vote from "aye" to "no."

Messrs. MRAZEK, GONZALEZ, and KLECZKA changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. SANGMEISTER). It is now in order to consider amendment No. 12 printed in part I of House Report 102-545.

It is now in order to consider amendment No. 13 printed in part I of House Report 102-545.

AMENDMENT OFFERED BY MR. DURBIN

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DURBIN: At the end of title II (page 44, after line 20), insert the following new section:

SEC. 235. STRATEGIC DEFENSE INITIATIVE FUNDING LEVEL.

The amount provided in section 201 for the Defense Agencies and the amount provided in section 232 for the Strategic Defense Initiative are each hereby reduced by \$937,500,000.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Il-

linois [Mr. DURBIN] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Does any Member rise in opposition? Mr. KYL. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from Arizona [Mr. KYL] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. DURBIN].

□ 1020

Mr. DURBIN. Mr. Chairman, the amendment which I have at the desk is being cosponsored by several colleagues here, the gentleman from Minnesota [Mr. SABO], the gentlewoman from Maryland [Mrs. MORELLA], the gentleman from Minnesota [Mr. PENNY], and the gentleman from New York [Mr. GREEN]. It is a bipartisan effort by the Members of the House of Representatives to bring some sanity to the funding of this program, to make certain the funding level is not only consistent with national security but also consistent with what is really needed.

We have listened now for almost a decade to those who have defended the concept of star wars or the strategic defense initiative. Those who have followed this debate will have noted that the rationale for this defense system has changed dramatically. It has been forced to change because the world has changed dramatically.

Mr. Chairman, most everyone can recall when President Reagan announced the concept of star wars. This was to be the umbrella of protection for the United States of America and all freedom loving people from the threat of a missile attack from a superpower such as the Soviet Union.

In the ensuing decade the world has changed, the Soviet Union has disintegrated, the threat of a missile attack from the remaining republics and nations is negligible. Yet we continue to spend billions of dollars on this system.

The taxpayers of this Nation and the Members of this Chamber have the right to ask how we can continue to rationalize this expenditure in this changing world.

The members of the Committee on Armed Services have come up with a new rationale for SDI. They are calling it "the loose nukes SDI Program."

This is new to me. What they are suggesting is that we need to build a strategic defense initiative to guard against the heightened risk, in their words, of an accidental or unauthorized launch of nuclear weapons.

So we are no longer preparing a defense for an onslaught of thousands of missiles. No; we are preparing for the possibility or the risk that one missile might be mistakenly or accidentally launched. And we are spending billions of dollars for that purpose.

If the phrase "loose lips sinks ships" is valid, I would have to tell you that

the theory of loose nukes sinks the credibility of the Pentagon and of this committee and the amount they are asking for this funding.

That is why I have introduced this amendment with my colleagues asking us to reduce the amount of money that we are putting into the star wars research to \$3.3 billion, a significant expenditure, but a significant expenditure which is consonant with the real threat in the world today.

If the United States of America is at risk from nuclear attack, that risk will probably come through an airplane, a suitcase, or a packing crate, much more likely than it would come to the United States through a missile launched against us. Yet we continue to put 10 times as much money into this research as we put into the practical applications of demilitarizing this world.

Just yesterday we considered an amendment for, I believe, \$650 million in an effort to dismantle nuclear weapons in the Soviet Union. That is money well invested and well spent.

This money, \$3.3 billion, is adequate for us to continue the research into finding ways to guard against this loose nukes, or accidental possibility of launch. The amount of money being requested by the administration and which will be requested by this committee is significantly in excess of this.

Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Chairman, I rise in strong support of the Durbin amendment to put some sense into this program.

Mr. Chairman, I rise in support of the Durbin amendment. It boggles my mind how each year we pour more money down this rathole—\$30 billion so far, much of it completely wasted. What began as a fantasy in 1984 has become a nightmare, but we have the power to stop it.

This program has been rife with abuse. Last week, the Associated Press reported that SDI officials spent \$2.4 million on trips to Hawaii. I quote:

SDI officials took 65 trips to Hawaii and stayed at exclusive hotels on Maui and Kauai even though military facilities for distinguished visitors were available.

All year long I have been reading reports like this of the failures and abuse of the SDI in the Washington Post and elsewhere. Yet, here we are again, proposing a 23 percent increase over what the House supported last year. Talk about rewarding failure.

It is clear the Pentagon is nowhere near having a deployable antimissile system before the turn of the century. Just this week, the Washington Post and New York Times reported that the Pentagon's top program analyst, Dr. David Chu, has warned of "costly and crippling problems" with deployment of a system by 1997, and has recommended yet another overhaul and delay until at least 2003.

At the current rate, that's at least another \$40 billion that could have been invested on

pressing human needs. We are talking about massive spending—yes, \$4.3 billion is a lot of money—and we don't even know what SDI will be, whether it will ever be, when it will be, what it will cost, or if it is needed.

Mr. Chairman, Wichita, KS, is in the grips of a crime wave—gang violence and drive-by shootings. We need more police and Federal help for programs to address gang violence and drug use. Three billion dollars would pay for 600 additional police officers in every one of the top 100 cities in this country for a year.

That's the kind of peace shield my constituents need. Let's put this program out of its misery and begin to think about the real needs of the people we represent. The Durbin amendment is a first step toward both fiscal sanity, as well as creating a focused well-defined, and smaller problem in this area.

Mr. KYL. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, the old canard about the suitcase bomb being the No. 1 threat was debunked by CIA Director Robert Gates in testimony before the Committee on Armed Services. In fact, he stated before the committee that proliferation of ballistic missiles in the Third World is of grave concern and is his No. 1 priority. He mentioned the fact that Saddam Hussein was a mere 18 to 24 months away from building a bomb when the gulf war began.

We have testimony that Pakistan acquired the M-11 ballistic missile launch vehicles from China.

This year we were caught unaware of the existence of North Korea's third nuclear reactor and surprised by a launch of a rocket by India and China's test of a nuclear weapon.

What will we be surprised to find next, Mr. Chairman? There were over 1,000 missiles fired in the combat between Iran and Iraq and Afghanistan in the last 4 or 5 years. Test flights of ballistic missiles have occurred in India, Pakistan, and South Africa. Saudi Arabia has acquired the CSS-2 from China. Most unhappily of all, U.S. forces and allies have come under attack and 28 Americans were killed by a ballistic missile in the Third World just within the last year.

Mr. Chairman, there can be no doubt about the threat of ballistic missiles from Third World nations. Many of these nations are not friendly to the United States. They are nations that our CIA Director says will have this capability. Without SDI, we are not going to have the capability to defend against them.

The Durbin amendment would cut an additional \$1 billion below that of the Committee on Armed Services. I urge my colleagues to support the Committee on Armed Services mark and oppose the Durbin amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. MCCREERY].

Mr. MCCREERY. Mr. Chairman, the primary obligation of any central government is to protect its people. That's

what the SDI Program is all about. This amendment slashes \$2 billion from the President's budget request for ballistic missile defense programs. This would be a catastrophic reduction—making it impossible to meet the goals Congress directed just last year.

The Missile Defense Act of 1991 established the national goal of providing a highly effective defense against limited and accidental ballistic missile strikes. The act directed the administration to deploy theater missile defenses by the mid-1990's. It also directed the administration to develop for deployment an initial ballistic missile defense site for the United States "by the earliest date allowed by the availability of appropriate technology or by fiscal year 1996." The act considered this first site an initial step toward deploying an ABM system capable of providing a highly effective defense of the United States.

This serious legislation was an important landmark in the growing legislative-executive consensus on ballistic missile defenses and was strongly supported by the President. It is imperative that Congress not vacillate on this high priority program.

The administration regards the Missile Defense Act as critically important to the future of ballistic missile defenses and views it as the blueprint for how we should proceed in this critical area. Without adequate funding, however, the Department will be unable to achieve the goals stated in the Missile Defense Act.

This amendment would force the SDI Program to revert to basic R&D and would waste years of effort and resources.

All ballistic missile defense programs would be severely impacted by such an extensive budget cut.

Technology base programs that directly impact the cost and risk of theater missile defense programs would likely be reduced.

Numerous programs would be stretched out or terminated.

This amendment would effectively eliminate all directed energy programs. Such terminations would waste past U.S. investments in directed energy research.

By reducing SDI to the level contemplated by this amendment, the United States, its forward deployed forces, and its friends and allies would be faced with a continuation of an unacceptable level of vulnerability to ballistic missile attack.

□ 1030

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. BENNETT], who has been the offeror of this amendment in previous years. I am happy to have his support again.

Mr. BENNETT. Mr. Chairman, I appreciate this opportunity to speak on

this matter. I think the Durbin amendment is an excellent amendment.

The schedule risk and cost growth imposed by the accelerated SDI deployment schedule was emphasized recently on the front page of the New York Times. It cites an analysis written by the Secretary of Defense's top weapon watchdog in which he states that the plan is "almost certain to suffer early significant cost growth and schedule slippage" and that pushing ahead with rush deployment of the interceptors and skipping important performance tests risks system failure.

The DOD analysis suggests that the goal for an ABM deployment should be the year 2003 because this much time is required to fully test and evaluate the system so we can have high confidence that it can work when it is once deployed.

Mr. Chairman, the SDI is a good concept. It ought to be adequately funded, it ought to be given what is needed to see that we are adequately protected. But the funding which has been asked by the President is exorbitant. It is imperiling our credibility from the standpoint of fiscal matters.

Mr. Chairman, I rise today in support of the Durbin-Penny-Sabo amendment to reduce the level of funding for the strategic defense initiative to \$3.3 billion. This seems to me to be an adequate and even generous figure for the program this year.

I would like to address three issues related to the Durbin amendment. They are the SDI budget, the schedule for an initial SDI deployment, and the threat of ballistic missile attack.

Let me discuss the budget first. The President submitted an SDI budget of \$5.4 billion. This included \$4.3 billion for strategic defense research and development and \$1.1 billion for R&D on theater missile defense systems. The administration's budget is an outgrowth of last year's Missile Defense Act, which placed the Nation on the path to a rapid deployment of an initial SDI system that would be ground-based and ABM Treaty-compliant. The Missile Defense Act was approved by the Senate after the House had passed its version of the authorization bill and was ultimately included in the final conference report. As a result the House has not really had an opportunity to debate the merits of the Missile Defense Act until now.

The committee-approved SDI funding figure of \$4.3 billion includes \$3.2 billion for strategic defense and \$1.1 billion for theater defense. But, it is important to recognize where the committee made its cuts.

The House Armed Services Committee cut the administration request to \$4.3 billion by eliminating all funding for the space-based interceptors and trimming the funding for research, support and futuristic technologies. No funding was cut from the theater mis-

sile defense category or from the category that contains most of the money for the accelerated SDI deployment. Both of these categories were fully funded at the administration's requested level.

The Durbin amendment of \$3.3 billion also fully funds the administration's request for theater defenses, as it should since according to SDIO's own testimony this is the highest missile defense priority facing the Nation.

The place where the Durbin amendment and the committee position really differ is over how much should be spent in fiscal year 1993 to accelerate the deployment of an initial ground-based ABM system as outlined in the Missile Defense Act. The House Armed Services Committee cut very little of the funding required to continue the accelerated deployment schedule. The Durbin amendment would cut more of this but it would not preclude deployment of an initial ABM Treaty compliant SDI system.

I want to underscore this last point. The Durbin amendment does not preclude an ultimate deployment of an initial SDI system, but the Congress must ultimately make a decision about whether it wants to deploy such a system.

In my opinion the crash SDI deployment program outlined in the Missile Defense Act, and essentially funded in the committee bill, does not make sense on fiscal grounds, is contrary to sound acquisition practices, and is not required to meet the projected military threat. Some new documents back up my position.

A new report by the Congressional Budget Office makes it clear that we do not need to spend \$4.3 billion on SDI in fiscal year 1993 unless we want an accelerated deployment. CBO states in its report that a level of \$3.3 billion in fiscal year 1993 will be sufficient to move SDI research and development forward and allow for the deployment of a fully tested and operationally capable ABM system by the year 2003.

Fully testing the system before deployment will help keep cost growth down. However, in order to meet the accelerated deployment deadline SDIO will have to forgo much of the usual test program. Mr. Cooper has stated to the Senate Armed Services Committee that to meet a 1997 deployment deadline is "a major challenge with high concurrency and attendant high risk." Concurrency means that testing and production are completed simultaneously rather than in a sequence that allows the problems discovered during the test program to be ironed out before the system enters production. A 1988 report by the Congressional Budget Office on weapon system concurrency pointed out that, high concurrency weapon programs experience cost growth increases of 288 percent.

Let me also add that according to Mr. Cooper's own testimony before the Senate, even if we spend massively to meet an accelerated SDI deployment deadline the Nation will not be protected from ballistic missile attack by 1997 because the initial site will not be fully operational until the year 2000. Even then, because we will have rushed the deployment of the system, it will require extensive and expensive retrofits to improve its capability.

The Durbin amendment would allow us to fund SDI at a level that would allow testing and deployment of this fully tested system in 2003, if such a system was needed given the status of the threat to our Nation.

And, there are two categories of threat that we need to be principally concerned with. First, there is the threat of an accidental or unauthorized launch from the former Soviet Union. Second is the development of a long-range ballistic missile by a Third World nation that may be hostile to us.

The threat of an accidental or unauthorized launch of a long-range missile against the United States from the former Soviet Union is of concern, but it is very unlikely as long as the leaders of the Commonwealth of Independent States [CIS] maintain strong control over their arsenals—as they have during the 10 months since the coup. The commander of the former Strategic Air Command, General Butler, testified before the House Armed Services Committee in April that he did not see any cause for concern on this issue. This is a position that has been reiterated by the President and the Secretary of Defense as well. In my opinion, there's no need to accelerate deployment to meet this threat.

Regarding the Third World threat, the Director of the CIA, Robert Gates, testified before the Congress earlier this year that beyond China and the CIS, the CIA does not expect new long-range missile threats to the United States to appear for at least another decade. That means not before 2003. The Durbin amendment meets this goal.

Mr. Chairman, the fiscal condition of our Nation is too deteriorated to spend more than is necessary on any federally funded program. If we pace our expenditures to the threat, and fully test the SDI system elements, we can make significant yearly savings in the SDI budget. And we will be able to deploy an operationally effective ABM system by 2003 if such a system is needed. This approach makes sense from both a fiscal and security standpoint. This approach is embodied in the Durbin amendment. I hope that my colleagues will join me in supporting it.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. SABO], a cosponsor of the amendment.

Mr. SABO. Mr. Chairman, I rise in support of the Durbin amendment. Let

us be clear about one thing the amendment does not do. It does not cut the funding for the tactical ballistic missile initiative. That remains in the bill. But what is the rush?

The Soviet Union has disintegrated. The world has changed immensely. The House, under the bill, would approve the most money we have ever approved initially in a House bill for SDI.

It does not make sense. What new programs have we seen come along that we put in escalating funding and it works beautifully? Rare.

Let us be fiscally responsible. Let us be cautious. Let us develop the program as the House has said it wants to.

Let us test. Let us do it in a rational way. Let us not simply rush to spend money for a threat that clearly is not on the horizon today.

I urge support of the Durbin amendment.

Mr. KYL. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, last year when we got to conference we found that the Senate had presented us with a Missile Defense Act on which we had no hearings and had little leverage to change because they were insisting on its provisions.

We in conference played our chips on the B-2, and we left the ballistic missile defense elements of the budget really until this year to address, and we did address them. We did deal responsibly with and revise the Missile Defense Act.

I would highlight two important changes that the committee has made which are in this bill.

First of all, we stressed emphatically that any ground-based system or any ballistic missile defense system must abide by the ABM Treaty. There is no mandate in this bill for abrogation or violation of the ABM Treaty.

We recognize that changes in the ABM Treaty may need to be negotiated in order for us to have a fully fledged ballistic missile defense system, but we think those should be duly made in accordance with the treaty. There is no mandate for violating or escaping the strictures of the treaty.

Second, in this bill we have not attempted to impose as a Congress any initial operational capability for this ground-based system, which we say should be the first step, the first phases of a ballistic missile strategic defense system.

We do not have the competence to determine what should be the IOC, the initial operational capability. We are not prepared, as a Congress, in all candor, to put the money up, to completely field this system by fiscal year 1996, which is what the other body called for.

Mr. Chairman, what we have done in this bill is say that there is no IOC. This will be the system, the first sys-

tem to be deployed will be driven by technology and driven by the availability of budget resources that we, the Congress, will put up.

Two key points. First of all, we have said in this bill that any system deployed must abide by the ABM Treaty, as amended, and any system deployed would be driven by technology developments and by the budget and not by some artificially imposed date established by Congress.

Let me highlight what this bill contains in the way of funding. I think that has been obscured so far.

First of all, this bill has for the last 2 years, includes an umbrella, a large umbrella, a ballistic missile defense program that is not so-called star wars or SDI. It includes theater missile defense as well as strategic defense. The two are lumped together under the \$4.3 billion provided in the aggregate in this bill.

Everyone in the House, the vast majority of us agree that we should press forward with theater ballistic missile defense. We saw the need for it in the Persian Gulf. This bill, under \$4.3 billion, includes \$1.1 billion for NTRANT, for the Patriot upgrade and for the support of the Israeli system arrow.

All of this is included in the \$1.1 billion, which is a \$250 million increase over fiscal year 1992, not a substantial increase given the pace and progress of these programs.

Second, with respect to SDI, star wars, this bill provides \$3.2 billion, which compares or contrasts to \$2.3 billion provided currently in fiscal year 1992. It effects a \$100 million decrease in SDI. It increases theater ballistic missile defense but decreases SDI.

The Missile Defense Act professed support for a ground-based system. It professed support for a treaty compliance system, but in a sense it damned both of these systems with faint praise because it omitted reference to some of the essential elements of it.

Everyone who has been an advocate of a ground-based system has said that it needed to include two layers, ground-based systems that would be exoatmospheric. The Missile Defense Act omitted that second layer, the exoatmospheric system. It also omitted any reference to Probe, Pop-up, GSTS, sensors that would be launched from the ground but would be operative in space.

Mr. Chairman, the point I am making is that we have taken this system back to concentrate, in terms of this bill, in what it professes to do, develop the ground-based system that will be operational toward the end of this decade. We have not funded brilliant pebbles in this. I think something should be put there. The committee chose to put nothing.

□ 1040

We are simply sending a message that we do not think that we can fund

the development of two programs at the same time. We are saying that we will go forward sequentially, first with a ground-based system, then we will make our decision about whether we want to add an additional phase to that which would include a space-based system. This is a well-crafted provision in this bill. We have the technology sequence right, we have the budget money right, we are well positioned for conference, and I would submit to all Members of the House to leave the bill as it is. It is well done.

Mr. DURBIN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I rise in strong support of the Durbin-Sabo-Penny amendment to limit strategic and tactical missile defense spending to \$3.3 billion in fiscal year 1993. According to the CBO, The Bush administration's current SDI plan would require an average of about \$8 billion per year between fiscal year 1994 and fiscal year 1997 or about \$37 billion in the next 5 years. During the same period, overall defense spending could be reduced by anywhere between \$50 and \$150 billion. Clearly, the defense budget cannot sustain such large increases in the cost of SDI while its overall funding levels are being reduced. A growing SDI budget will crowd out other defense needs.

In addition, there is the very real danger of waste if the program is allowed to proceed at the rate proposed in this bill. In an article in the June 2, 1992, edition of the New York Times, Dr. David Chu, the Assistant Secretary of Defense for Program Analysis and Evaluation, was reported to say that the "\$35 billion plan to protect the Nation from nuclear attack with land-based interceptors calls for a hasty deployment that threatens costly and crippling problems." Dr. Chu recommended that the plan to deploy a ground-based ABM site be delayed from 1997 to the year 2003.

According to a CBO report released just last week, an alternative funding plan for SDI that would delay the single-site deployment to the year 2003 would require \$3.3 billion in fiscal year 1993—this is exactly the amount which the Durbin-Sabo-Penny amendment would provide for SDI-TMD in fiscal year 1993.

Finally, I would like to address the issue of ballistic missile threats in the post-cold-war era. The Persian Gulf war illustrated the need for effective defense against short-ranged ballistic missiles. I strongly support the House Armed Services Committee's funding of \$1.1 billion for the TMD program. But what about the threat from long-ranged intercontinental ballistic missiles [ICBM's]? Currently, only four other nations possess such weapons—the Commonwealth of Independent States [CIS], Great Britain, France,

and China. After three decades of research and development, China has about 10 ICBM's. The other countries—Russia, France, and Great Britain—do not at this time pose a threat to the United States.

What about potential Third World threats? According to some proponents of a large SDI Program, there will be over 20 countries with ICBM capability by the year 2000. This is very misleading, and in fact, it is untrue. While nearly 20 nations will possess, or already possess, short-ranged, or tactical, missiles—few, if any, of these nations—like North Korea, Libya, Syria, or Iran—are even remotely likely to produce a long-ranged ICBM in the next 10 to 15 years. And even if one of these countries did produce an ICBM, it would first have to test the missile—which would mean that, due to our advanced satellite detection capability, the United States would know years in advance that a country was preparing to deploy ICBM's. And once deployed, the United States would know exactly where the missiles were deployed.

Clearly, there is very little threat to the United States from Third World ICBM's at this time nor will there be an even small threat for at least a decade. There is no urgency at this time to develop and deploy costly defenses against ICBM's. I would recommend a slower approach to the SDI program—one that reflects budget constraints and post-cold-war threats.

Again, I urge Members to support the Durbin-Sabo-Penny amendment.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Chairman, the administration has requested \$5.4 billion of money that we do not have, to build an ABM system that likely will not work in possible violation of an ABM Treaty that does work, to counter a Soviet threat that no longer exists. Does that make sense? This system would be of little value against submarine-launched cruise missiles, of little value against sea-launched cruise missiles and of little value against air-launched cruise missiles.

Do we need to continue the basic research of an ABM system? Yes, we do. Do we need to continue to fund theater tactical defense systems? Yes, we do. Do we need to spend money that we do not have? I do not think so.

Why do we not spend money on things that really threaten our national security: lack of productivity? A decaying infrastructure? Kids reaching school age who aren't ready to learn? And rampant drug and alcohol abuse in many quarters of our society? Better still, let's not spend this money at all.

Mr. DURBIN. Mr. Chairman, may I inquire of the Chair, who has the right to close the debate?

The CHAIRMAN pro tempore (Mr. SANGMEISTER). The gentleman from Ar-

izona [Mr. KYL] has the right to close the debate, because he is a member of the committee.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. EARLY].

Mr. EARLY. Mr. Chairman, I rise in strong support of this amendment. Just 2 weeks ago this House voted not to take down the firewalls that would let us transfer money from military research to domestic research. Not one single Republican voted for that. Here we are, spending over \$4 billion for a new military system, of which this amendment would cut less than \$1 billion in research. Yet in the bill that is going to come out of the HHS subcommittee within the next few weeks, NIH will have less than \$10 billion for research on all the diseases; the budget request is \$9.4 billion for research on all the diseases.

Let's look at the diseases affecting Americans, 4 million Americans have Alzheimer's disease, 4 million. It costs this country \$90 billion in health care costs for treatment of Alzheimer's patients, yet we spend only \$198 million for research on Alzheimer's.

The Republicans would not vote to let us transfer this research money to domestic research; 500,000 people die annually of cancer, yet we could save 100,000 of those people if we could get earlier diagnosis and treatment for them. Yet, the gentleman from Kentucky, Chairman NATCHER, will not be able to increase the money for research.

I see the gentlewoman from Ohio, MARY ROSE OAKAR, who is a leader in the fight to get more money for women's health research. In this country we spend so little money for breast cancer, for endometriosis, for PID, pelvic inflammatory diseases, which are women's health problems. We are not going to be able to spend money for domestic research on these diseases, and we do not spend enough money; yet we are spending over \$4 billion on SDI.

We just had a study released yesterday that said, with regard to AIDS, that in 8 years, in just 8 short years, and this is not a threat, it is a fact, 120 million people, including 10 million children, will be infected with HIV, 120 million people. Yet we do not spend enough money for AIDS research.

Mr. Speaker, just recently it was disclosed we wasted \$8.8 billion in SDI on programs that are useless, and we will not transfer our money to domestic research? This is a good amendment.

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I only have 2 minutes, because there are some strong voices that still believe in the danger in a world that still has much evil. I do not know how anybody could look at the picture of people mortared in that food line in

Bosnia, people reaching out for help, the carnage there, and not have studied Hitler, Stalin, Qadhafi, Saddam Hussein, and not realize that just one little mistake, one mistake, one weapon, one device, hitting one of our cities is 1 million, 1 million times worse than the photographs that we are getting from the evil that we see now in the former state of Yugoslavia as it spins apart.

During the prior debate the gentleman from California [Mr. DELLUMS] was making much of our friend, Bob Gates, the Director of the Central Intelligence Agency. I would like to correct the record and put in recent testimony of Director Gates to our Congress. I think it comes from under the heading of a disorder, kind of a mental disorder in this Chamber that was rampant in the thirties, disappeared from 1941 to 1948, existed all during the cold war as we faced the evil empire, and goes unrelenting. It is called threat denial. We have it here again in the extreme, threat denial.

Just to set the record clear on what Mr. Gates said, please allow me to quote, and then I will include the rest of the quotation in the RECORD. I implore my colleagues on both sides of the aisle to read this.

□ 1050

Here is Gates:

We continue to witness a steady and worrisome growth in the proliferation of advanced weapons. Today, over 20 countries have, are suspected of having, or are developing nuclear, biological, or chemical weapons and the means to deliver them.

There are several reasons for the proliferation of weapons of mass destruction. First and foremost, the technologies used in these weapons are simply more available and more easily absorbed by Third World countries than ever before. Nuclear and ballistic missile technologies are, after all, 1940s technologies by U.S. standards.

Please read the rest, which I include at this point in the RECORD:

The Director of Central Intelligence, Robert Gates, was cited by one of my colleagues in an attempt to bolster the claim that there is no realistic ballistic missile threat confronting the United States.

Just so that the record is clear on this point, please allow me to excerpt some other quotes from Director Gates' testimony before our Congress:

We continue to witness a steady and worrisome growth in the proliferation of advanced weapons. Today, over 20 countries have, are suspected of having, or are developing nuclear, biological, or chemical weapons and the means to deliver them.

There are several reasons for the proliferation of weapons of mass destruction. First and foremost, the technologies used in these weapons are simply more available and more easily absorbed by Third World countries than ever before. Nuclear and ballistic missile technologies are, after all, 1940's technologies by US standards. BW and CW technologies are even older, and they are easier and cheaper to develop. Second, most of these technologies are so-called dual use technologies—that is, they have legitimate

civilian applications. This makes it difficult to restrict trade in them because we would be limiting the ability of developing nations to modernize. For example, much of the technology needed for a ballistic missile program is the same as that needed for a space launch program. Chemicals used to make nerve agents are also used to make plastics and process foodstuffs. Moreover, a modern pharmaceutical industry could produce biological warfare agents as easily as vaccines and antibiotics.

This is an important point, because the experts agree that space-launch vehicles, for example, boosters designed to place a payload in low Earth orbit, are also capable of delivering payloads over intercontinental ranges. Therefore, current and projected spacefaring nations have, or will soon acquire, a capability to attack the United States directly. Returning to Mr. Gates' testimony:

Only China and the Commonwealth of Independent States have the missile capability to reach U.S. territory directly. We do not expect increased risk to United States territory from the special weapons of other countries—in a conventional military sense—for at least another decade. However, the threat to Europe, the Middle East, and Asia is real and growing:

U.S. or multinational forces deployed abroad could face an increased threat of air-delivered nuclear weapons before the end of the decade. Several countries now have missiles and rockets that could carry nuclear warheads, and others are likely to field some ballistic missiles with nuclear warheads in coming years! If any of those countries could acquire even a few nuclear warheads it could soon become a nuclear threat.

Most of the major countries in the Middle East have chemical weapon development programs, and some already have stockpiles that could be used against civilians or poorly defended military targets. Most countries have not yet equipped their delivery systems to carry weapons of mass destruction, but over the next decade, many countries will—from North Africa through South Asia—if international efforts to curtail this fail.

China and North Korea may sell other countries longer-range missiles and the technology to produce them. Countries with special weapons that succeed in buying these missiles will further expand and accelerate the special weapons arms race already under way in the Middle East and South Asia.

[With respect to the Commonwealth of Independent States] we expect to see attempts by the former Soviet Union's defense industrial sector to market dual-use technologies of concern, notably for nuclear power and space launch vehicles. For example, the space organization Glavkosmos has reorganized to market a joint Russian-Kazakhstan space launch service, and Russia is offering SS-25 boosters as space launchers. Other nations with ambitious weapons development programs are certain to try to exploit the opportunity to get some of the world's most advanced weapons technology and materials at bargain basement prices."

As a result of the proliferation of new weapons technologies—conventional or special—I expect that foreign military capabilities will expand and become considerably more complex to deal with. Some we will not have anticipated. The range of conditions under which these capabilities might be used is much wider than we were accustomed to in the past, when the main threat was from the Soviet Union and we understood it well. Keeping track of burgeoning foreign military

capabilities will be one of our greatest challenges in years ahead. The potential for technological surprise in the Third World is growing as some international restrictions on foreign access to dual-use technologies are loosened.

I would like to note for the record that I support a strong, capable U.S. intelligence community. I have plenty of respect for the men and women who comprise our intelligence system, and I understand the difficulties that they face as they attempt to make sense out of what are oftentimes conflicting bits of data. That being said, however, it is important to recognize that the recent revelations about Iraq's nuclear and related programs have again demonstrated our capacity to be surprised. Mr. Gates candidly acknowledges this fact by noting in his testimony that "the potential for technological surprise in the Third World is growing * * *."

In sum, Mr. Chairman, I wanted to make sure the record was complete with respect to Mr. Gates' views on the emerging threat posed by the proliferation of ballistic missiles and weapons of mass destruction.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SANGMEISTER). The Chair would advise our guests in the gallery that we welcome them here as guests at any time, but the rules of the House prohibit expressions such as clapping or shouting in the Chamber, and the Chair asks our guests to please refrain from expressing their reactions to the proceedings.

Mr. KYL. Mr. Chairman, I yield 1½ minutes to our colleague from the Committee on Armed Services, the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I just wanted to take a second to say that it is kind of a historic moment when both JOHN SPRATT and JOHN KYL are plugging away together on the House floor on this whole SDI program. There is bipartisan opposition to this amendment, frankly, because while there is not overall complete agreement on where the program is going to go, there is agreement between our two experts on this committee that we do not need to cut it like this. If we cut it this much, we really begin to dismantle this program.

I want to say to the Members here today, look, I hate to have to think that ballistic missiles are something that are going to threaten us in the future. The reality is I think, because of the ever powerful dollar, and I mean dollar in everybody's currency across this world, and people who want to put profit ahead of security, unfortunately I think ballistic missile proliferation is going to happen. We need to have an SDI program because we have to protect our people. We are going to have to protect a lot of the world from these people who without any regard for human life are willing to throw missiles and rain death on innocent people. That is what SDI is all about.

Where we go ultimately down the line in terms of how many shells and

how many layers of this program, that is up for debate. But what is not up for debate is to take this thing down by another \$1 billion at this point in time, crippling the research that is needed. And this is not just the position on the Republican side. This is a position that is shared by Republicans and Democrats alike on the committee who have studied this thing very carefully.

I have a lot of respect for the gentleman from Illinois [Mr. DURBIN] and his colleagues, the gentlemen from Minnesota, Mr. PENNY and Mr. SABO. But on this one I think they are just not correct, and I would urge the Republican side of the aisle and those Democrats concerned about SDI to reject this amendment.

Mr. DURBIN. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Chairman, I want to ask where our priorities are. Americans spend \$35 billion on military research and \$8.5 billion on health research.

I think if we asked Americans if we can afford to transfer \$1 billion of the \$35 billion to health research, to find cures for Alzheimer's disease, epidemics like breast cancer, prostate cancer, and lung cancer, I think they would say transfer this \$1 billion, and let us spend it for cures for disease.

That ought to be what our national priorities are. I support the amendment.

Mr. KYL. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, most experts agree that Russian President Boris Yeltsin's January 1992 call for a joint global defense system represents a gigantic change in Russia's position on a whole range of antiballistic missile [ABM] issues.

And, as Assistant Secretary of Defense Stephen Hadley noted in his May 6 testimony before the Armed Services Subcommittee on Research and Development:

President Yeltsin's call for a global ballistic missile defense system thus represented both an opportunity to move forward to develop and deploy defenses and to engage the former Soviet republics in an important cooperative venture with the West. It appeared to be the "yes" for which we had been waiting for so long—"yes" to a "cooperative transition" to defenses.

So, now that, again in Secretary Hadley's words, "we are leaving behind our adversarial relationship and seeking the benefits of cooperation," what position should the Congress take with respect to the future of the SDI program and the ABM treaty in light of President Yeltsin's forward-looking proposal for close United States-Russian cooperation on ballistic missile defenses?

First, it should be noted that, with the passage last year of the Missile Defense Act, the Congress already had

begun to address these issues. The Missile Defense Act stated, and I quote:

It is a goal of the United States to—

(1) Deploy an ABM system, including one or an adequate additional number of ABM sites and space-based sensors, that is capable of providing a highly-effective defense of the United States against limited attacks of ballistic missiles;

(2) Maintain strategic stability; and

(3) Provide highly-effective theater missile defenses [TMDs] to forward-deployed and expeditionary elements of the Armed Forces of the United States and to friends and allies of the United States.

In addition, the Missile Defense Act recognized President Bush's call on September 27, 1991, for "immediate and concrete steps" to permit the deployment of defenses against limited ballistic missile strikes and the response of then-Soviet President Gorbachev undertaking to "consider such proposals from the United States on nonnuclear ABM systems." The Act continued:

In this regard, Congress urges the President to pursue immediate discussions with the Soviet Union on the feasibility and mutual interests of amendments to the ABM Treaty to permit the following:

(a) Construction of ABM sites and deployment of ground-based ABM interceptors in addition to those currently permitted under the ABM treaty.

(b) Increased use of space-based sensors for direct battle management.

(c) Clarification of what development and testing of space-based missile defenses is permissible under the ABM Treaty.

(d) Increased flexibility for technology development of advanced ballistic missile defenses, and

(e) Clarification of the distinctions for the purposes of the ABM treaty between theater missile defenses and ABM defenses, including interceptors and radars.

Thus, the Congress last year in the Missile Defense Act urged the President to immediately begin negotiations with the then-Soviet Union to see whether and how the ABM treaty would need to be modified in order to accomplish the goals of the act—namely to establish a highly effective missile defense for our troops overseas, for our friends and allies, and for the American people. In addition, the Congress agreed to provide "robust funding" for promising follow-on technologies, such as the Brilliant Pebbles space-based interceptor concept, and provided a total of \$4.15 billion for SDI in fiscal year 1993.

In sum, the Congress has recognized the danger posed by the proliferation of ballistic missiles and weapons of mass destruction; has established a national goal of providing protection against these emerging threats; has called for immediate negotiations to provide whatever relief from the ABM treaty is necessary to implement the goal, and has provided a "down payment" of funds toward a future highly effective missile defense.

So just as we are on the verge of a historic United States-Russian agreement for a cooperative, joint ballistic

missile defense system, the Durbin amendment undermines the President and short changes this critical program. For these reasons, I strongly oppose the Durbin amendment.

But each of the steps listed above were taken last year. What additional steps do we need to take this year to ensure that the strategy and goals embodied in the Missile Defense Act are fully implemented?

First, we need to provide adequate resources for the SDI program. The amount for SDI in H.R. 5006, the Armed Services Committee-reported bill, is too low. Admittedly, the committee-approved funding level for fiscal year 1993 is higher than the amount recommended out of the committee in all the previous years of the SDI program, and that's a positive development. But it still is not adequate. In this regard, I urge my colleagues to vote for the Kyl amendment which would restore the cuts to the SDI program made by the Armed Services Committee.

Second, we should take no steps that would undermine the consensus that emerged last year in favor of the Missile Defense Act. Certainly, were the House to approve either the Dellums-Boxer or Durbin amendments, it would represent a pronounced step backwards from the direction provided in the Missile Defense Act.

In addition, the Armed Services Committee bill provides no funds for one of the most promising concepts for effective defenses, Brilliant Pebbles. That makes no sense, especially in light of the explicit call in the Missile Defense Act for robust funding for promising follow-on ABM technologies, such as Brilliant Pebbles. Again, I urge my colleagues to support the Kyl amendment to repair the damage done to Brilliant Pebbles by the committee's mark.

And, third, the Armed Services Committee unfortunately has taken another step that may undermine the consensus behind the Missile Defense Act. Specifically, the committee adopted an amendment that modifies the goals language of the Missile Defense Act. Earlier in my statement, I read into the RECORD the goals section of the Missile Defense Act of 1991. The new, Armed Services Committee-approved goals section reads as follows:

It is a goal of the United States to—

(1) maintain compliance with the ABM treaty, including any protocol or amendment thereto, and not develop, test, or deploy any ballistic missile defense system, or component thereof, in violation of the treaty, as modified by any protocol or an amendment thereto; and

(2) deploy an anti-ballistic missile system that is capable of providing a highly-effective defense of the United States against limited attacks of ballistic missiles, which may include space-based sensors and additional deployment sites if authorized by Congress and permitted by the ABM treaty, as modified by any protocol or amendment thereto.

What's wrong with this new formulation? First, the revision is unclear on

whether space-based sensors will be a part of a U.S. ABM system or not. Whereas space-based sensors are specifically called out in the Missile Defense Act as an element of the U.S. ABM system, in the Armed Services Committee-reported bill the issue is muddled—sensors may or may not be included, depending upon whether Congress agrees to fund their deployment. This is unfortunate because the experts agree that space-based sensors can make a major contribution to the effectiveness of U.S. missile defenses—whether theater missile defenses or defenses for the continental United States.

And, second, it elevates continued U.S. compliance with the ABM treaty to the same level as the goal of deploying a highly effective defense. That's not necessary. The goal has been and should remain to deploy a highly effective defense against ballistic missile attack. The committee's continued infatuation with the ABM treaty comes just as Presidents Bush and Yeltsin are prepared to sit down and negotiate amendments to the ABM treaty that would go a long way toward implementing the goals of the Missile Defense Act.

For these reasons, I strongly urge my colleagues to oppose the Durbin amendment, and to support the Kyl amendment.

Mr. KYL. Mr. Chairman, I yield such time as he may consume to the gentleman from South Carolina [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I rise in opposition to the Durbin amendment. This country must have a way to protect Americans against a surprise ballistic missile attack. That's something we can't do now.

In past years, the ritual played out on this floor was aimed at letting SDI limp along on research, while funds were raked off elsewhere.

Sensibly, we crossed the line from research deployment in last year's defense bill. Even the Russians are for it now. So why aren't we moving ahead to boost funding for space-based interceptors?

It's because we're still hung up on the old arguments.

One says that we have plenty of time before terrorist nations can launch a ballistic missile that can reach this country. I doubt most Americans think that's comforting. They know there's a rogues gallery of nations out there who are busy buying and building ballistic missiles. Besides, if we wait until the threat is on our door step, it will be too late.

We still hear there's little congressional consensus for deploying space-based interceptors. Perhaps that comes from talking too much to ourselves. We ought to be asking Americans what they want, not bending their survival instincts to fit a warped political agenda.

The gulf war taught us several lessons, two of which are relevant to this amendment.

First, the critical role played by military space systems was reaffirmed.

U.S. forces relied heavily on space assets for surveillance of enemy forces, situational awareness, positioning of coalition forces, warning of missile attacks, and more. Space systems are becoming an increasingly important element of U.S. force structure and military strategy.

We must recognize, however, that space systems, despite their critical contribution to the swift coalition victory, are costly to develop, produce and operate. Some U.S. satellites that saw action in Operation Desert Shield/Desert Storm, for instance, cost up to \$1 billion apiece. At this price tag, our theater military commanders' needs may fall victim to shrinking budgets.

Second, the need for and value of active missile defenses was demonstrated beyond a shadow of a doubt.

As the House Armed Service Committee's report on lessons learned from the gulf war "Defense For A New Era" states:

Independent of the debate over the degree of success that the Patriot missiles had in their theater missile defense role against Iraqi Scuds, the political and military utility of mobile theater defenses was demonstrated unequivocally during Operation Desert Storm. Although some critics contend that the lessons learned from the employment of the Patriot missile in the TMD role are negligible due to the low-tech nature of the 20 year-old Scud technology, it should not be forgotten that the Patriot is, itself, based on 20 year-old technology.

The global proliferation of ballistic missile technology and weapons of mass destruction has become one of the most immediate and dangerous threats to U.S. national security in the post-Cold War era. Over time, this threat will most likely evolve from today's shorter-range, inaccurate missiles in the direction of more sophisticated, longer-range and increasingly accurate systems. Therefore, the question of how the U.S. can modernize its TMD capabilities to best ensure that its forward deployed and power projection forces possess effective defenses against future tactical ballistic missile threats is paramount.

So, how does this amendment relate, first, to the issue of the increasing importance and cost of military space systems, and second, to the issue of responding to the growing threat posed by the proliferation of theater ballistic missiles?

As noted in a recent Aviation Week article, "Early development work on the Brilliant Pebbles space-based interceptor is raising several issues that promise to change traditional approaches to spacecraft design, production and operation." The article goes on to state that:

For the first time, sophisticated spacecraft must be designed and produced as expendable units, analogous to tactical missiles or smart bombs. Technologies now being developed by Pebbles contractor teams will have a substantial influence on the future design of military, commercial and scientific satellites. Similarly, command and control techniques under development could decrease the cost of future space operations.

Furthermore, experiments using real hardware have shown that Brilliant Pebbles can help to deter and, if necessary, defeat ballistic missile attacks against U.S. forward-deployed troops, power projection forces and our friends and allies, thereby strengthening U.S. security and global stability.

According to a March 1992 report submitted to Congress by Deputy Secretary of Defense Atwood:

Brilliant Pebbles would be continuously in position to provide global detection of an attack and a means to destroy both strategic and theater ballistic missiles. It could act autonomously to provide highly-effective protection against a limited number of missiles, regardless of their source, * * * with ranges greater than approximately 500 kilometers.

The desirability of intercepting warheads early and well away from the intended target was one of the lessons of the Gulf War. One of the limitations associated with Patriot during Operation Desert Storm involved debris from Scuds destroyed in the atmosphere landing on target areas and causing civilian casualties and property damage. The modified Scud missiles launched by Iraq against Israel and Saudi Arabia would have been accessible from space and could have been intercepted far from their targets by Brilliant Pebbles.

What is the House Armed Services Committee's response to this opportunity to drive down the costs associated with designing, procuring and operating military space systems and to provide a highly effective defense for U.S. forward deployed military forces and our friends and allies? Incredibly, the committee recommends that all work in this area be terminated.

The approach embodied in this amendment stands in sharp contrast to the approach recommended by the committee. If passed, this amendment will ensure that this promising concept for reducing the costs to develop and produce satellites and revolutionizing the way they operate, and for defending America's forces and interests, receives robust funding.

Finally, such a funding level is consistent with the Missile Defense Act passed by Congress last year, which specifically called out the requirement for "robust funding for research and development for promising follow-on antiballistic missile technologies, including Brilliant Pebbles."

For these reasons, I strongly urge my colleagues to support robust funding for SDI, and oppose the Durbin amendment.

Mr. DURBIN. Mr. Chairman, I yield myself our remaining 2½ minutes.

Mr. Chairman, there is an alienation and anger in this land. For me to report it on the floor of the House is not a news item. We all know it. The people of this country are concerned that this Congress is unresponsive to the real problems of America. The people of this Nation are concerned that this Congress no longer hears them, that we continue to spend billions of dollars with little or no care about what it is doing to our national debt, that we continue to make priorities out of programs that do not count.

We have heard the statement by the gentleman from Massachusetts [Mr. EARLY] and the gentlewoman from Ohio [Ms. OAKAR] about billions spent on star wars which represent billions that will not be spent for medical research to cure AIDS, and cancer, and heart disease. That is what we face.

For those who believe that this program can stand on its own feet, let me

read a few statistics. Here are some of the proposals we have funded in star wars:

American taxpayers have spent \$29 billion, \$366 million for airborne optical aircraft, star wars waste, it has been canceled; \$700 million for the neutral particle beam, star wars waste, it has been canceled; \$720 million for space-based chemical laser, star wars waste, it has been canceled; \$1 billion for the boost-type surveillance and tracking satellite, star wars waste, it has been canceled; \$1.2 billion for the free electron laser, star wars waste, it has been canceled; \$1.8 billion for the x-ray laser, more star wars waste.

Just a few days ago a majority of this House of Representatives queued up to sign up for a balanced budget amendment. They are pledged to balance our budget and cut spending. Today is your first installment. If you cannot vote, all your porkbusters and balanced budget amendment battalion to come down here and cut \$1 billion out of this wasteful program, then turn in your stripes, you do not deserve them. This is an opportunity for us to step forward, to say we are going to bring some sanity to a program that has very serious managerial problems, to say we are going to recognize the real threat to America and to make certain that the money that we spend is well spent.

You have a chance today, Members of the House. You can vote to reduce the deficit by \$1 billion and still keep the research, still keep the amount of deployment that is in this bill in place. Do the right thing, the sane thing. Listen to what America is telling us.

□ 1100

Mr. KYL. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN], the chairman of the Committee on Armed Services.

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

Mr. Chairman, I rise in opposition to the Durbin amendment. There are a lot of things that have changed in the world today. There are a lot of expenditures that we do not need to make now in this new world.

The one physical threat to this country that remains is the possibility of a nuclear attack by a Third World terrorist accidental launch, something that is new, and in that regard this defense is critical and it is important that we go ahead and that we have it and we build it and that we deploy it, a ground-based system. We should deploy it. We should go ahead.

The program of the gentleman from Illinois is just a research program. Our position is to build the actual system by developing it over time carefully, gradually, but actually to build the system. It is the one threat that still

remains physically to the United States.

Mr. KYL. Mr. Chairman, as a result of the comments of the gentleman from Wisconsin [Mr. ASPIN], the chairman of the Committee on Armed Services, I would join the gentleman in urging my colleagues to vote "no" on the Durbin amendment.

The CHAIRMAN pro tempore (Mr. SANGMEISTER). The question is on the amendment offered by the gentleman from Illinois [Mr. DURBIN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 211, not voting 62, as follows:

[Roll No. 169]

AYES—161

Abercrombie	Horn	Perkins
Andrews (ME)	Hughes	Peterson (FL)
Applegate	Jacobs	Peterson (MN)
Atkins	Jefferson	Poshard
AuCoin	Johnston	Price
Bennett	Jones (NC)	Rahall
Berman	Jontz	Rangel
Blackwell	Kanjorski	Reed
Bonior	Kaptur	Ridge
Boucher	Kennedy	Rose
Boxer	Kildee	Roukema
Bruce	Kleczka	Roybal
Bryant	Klug	Russo
Cardin	Kostmayer	Sabo
Carper	LaFalce	Sanders
Carr	LaRocco	Sangmeister
Clay	Leach	Savage
Collins (MI)	Levin (MD)	Sawyer
Condit	Long	Schroeder
Conyers	Lowey (NY)	Schumer
Cox (IL)	Manton	Sensenbrenner
Coyne	Markey	Serrano
DeFazio	Marlenee	Shays
DeLauro	Martinez	Sikorski
Dellums	Matsui	Skaggs
Derrick	Mavroules	Slattery
Donnelly	Mazzoli	Slaughter
Dooley	McDermott	Smith (FL)
Dorgan (ND)	McHugh	Solarz
Downey	Mfume	Staggers
Duncan	Mineta	Stallings
Durbin	Moakley	Stark
Dwyer	Moody	Stokes
Early	Moran	Studds
Eckart	Mrazek	Swift
Edwards (CA)	Murphy	Synar
Engel	Nagle	Tallon
Espy	Neal (MA)	Thomas (WY)
Evans	Neal (NC)	Torres
Fazio	Nowak	Towns
Foglietta	Nussle	Trafficant
Ford (MI)	Oakar	Valentine
Ford (TN)	Oberstar	Vento
Frank (MA)	Obey	Visclosky
Gejdenson	Oliver	Volkmer
Gephardt	Orton	Washington
Gibbons	Owens (NY)	Waters
Glickman	Owens (UT)	Waxman
Gonzalez	Pallone	Weiss
Goodling	Panetta	Wheat
Gordon	Pastor	Wise
Hall (OH)	Payne (NJ)	Wyden
Hayes (IL)	Pease	Yates
Hochbrueckner	Penny	

NOES—211

Alexander	Annunzio	Ballenger
Allard	Archer	Barnard
Allen	Armey	Barrett
Anderson	Aspin	Barton
Andrews (NJ)	Bacchus	Bateman
Andrews (TX)	Baker	Bentley

Bereuter	Hansen	Pickett
Bevill	Harris	Pickle
Bilbray	Hastert	Quillen
Billrakis	Hayes (LA)	Ramstad
Billy	Hefley	Ravenel
Boehler	Henry	Regula
Boehner	Hoagland	Rhodes
Borski	Hobson	Richardson
Brewster	Holloway	Riggs
Browder	Hopkins	Rinaldo
Bunning	Horton	Ritter
Burton	Houghton	Roberts
Callahan	Hoyer	Roe
Camp	Huckaby	Roemer
Campbell (CO)	Hunter	Rogers
Chandler	Hutto	Rohrabacher
Chapman	Hyde	Ros-Lehtinen
Clement	Inhofe	Rowland
Coble	James	Santorum
Coleman (MO)	Jenkins	Sarpallus
Coleman (TX)	Johnson (CT)	Saxton
Combest	Johnson (SD)	Schaefer
Cooper	Johnson (TX)	Schiff
Costello	Kasich	Schulze
Coughlin	Kennelly	Sharp
Cox (CA)	Kolbe	Shaw
Cramer	Kyl	Shuster
Crane	Lagomarsino	Sisisky
Cunningham	Lancaster	Skeen
Darden	Lantos	Skelton
Davis	Lewis (CA)	Smith (IA)
DeLay	Lewis (FL)	Smith (NJ)
Dickinson	Lightfoot	Smith (OR)
Dicks	Lipinski	Smith (TX)
Doolittle	Lloyd	Snowe
Dornan (CA)	Lowery (CA)	Solomon
Dreier	Machtley	Spence
Edwards (OK)	Martin	Spratt
Edwards (TX)	McCandless	Stearns
Emerson	McCloskey	Stenholm
English	McCollum	Stump
Erdreich	McCrery	Sundquist
Ewing	McCurdy	Swett
Fascell	McEwen	Tanner
Fawell	McGrath	Tauzin
Fish	McMillan (NC)	Taylor (MS)
Franks (CT)	McMillen (MD)	Taylor (NC)
Frost	McNulty	Thomas (GA)
Galleghy	Meyers	Thornton
Gallo	Michel	Torricelli
Gekas	Miller (OH)	Upton
Gerén	Molinarí	Walker
Gilchrest	Mollohan	Walsh
Gillmor	Montgomery	Weber
Gilman	Moorhead	Weldon
Gingrich	Murtha	Wilson
Goss	Myers	Wolf
Gradison	Natcher	Wyllie
Grandy	Ortiz	Yatron
Guarini	Oxley	Young (AK)
Gunderson	Packard	Young (FL)
Hall (TX)	Parker	Zeliff
Hamilton	Paxon	Zimmer
Hammerschmidt	Payne (VA)	
Hancock	Petri	

NOT VOTING—62

Ackerman	Hatcher	Morella
Anthony	Hefner	Morrison
Beilenson	Herger	Nichols
Brooks	Hertel	Olin
Broomfield	Hubbard	Patterson
Brown	Ireland	Pelosi
Bustamante	Jones (GA)	Porter
Byron	Kolter	Pursell
Campbell (CA)	Kopetski	Ray
Clinger	Laughlin	Rostenkowski
Collins (IL)	Lehman (CA)	Roth
Dannemeyer	Lehman (FL)	Scheuer
de la Garza	Lent	Thomas (CA)
Dingell	Levine (CA)	Traxler
Dixon	Lewis (GA)	Unsoeld
Dymally	Livingston	Vander Jagt
Feighan	Luken	Vucanovich
Fields	McDade	Whitten
Flake	Miller (CA)	Williams
Gaydos	Miller (WA)	Wolpe
Green	Mink	

□ 1120

The Clerk announced the following pairs:

On this vote:

Mr. Beilenson for, with Mr. Ray against.

Mrs. Morella for, with Mr. Herger against.
Mr. Porter for, with Mr. Roth against.
Mrs. Collins of Illinois for, with Mr. Bustamante against.

Mr. WASHINGTON changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KOPETSKI. Mr. Chairman, I was unavoidably detained on official business for the vote on the Rollcall No. 169. If I was present, I would have voted "aye."

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

Mr. Chairman, I yield to the gentleman from New Mexico for the purposes of engaging in a colloquy.

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

Mr. Chairman, let me say that I strongly support the amendment offered by my colleague, the gentleman from Massachusetts [Mr. MAVROULES] which requests a report on the feasibility of funding drug interdiction and counter-drug activities that reduce the demand for illegal drugs for young people by the National Guard.

As my colleague on the committee is aware, the New Mexico National Guard has formulated a proposal to operate a youth camp program in order to address the rising demand and use of illegal drugs among New Mexico's young people.

Specifically, the New Mexico program will reduce the demand for illegal drugs by targeting repeat offenders and providing them with a rehabilitation alternative. Through education, role modeling, hard work and counseling, the National Guard will provide New Mexico's misguided youth offenders with a second chance at life.

I would like to ask the chairman of the committee, does he agree that the New Mexico National Guard Youth Camp Program is similar to the programs the amendment offered by the gentleman from Massachusetts [Mr. MAVROULES] and the committee has targeted?

Mr. ASPIN. Mr. Chairman, the gentleman is correct. The committee recognizes that the New Mexico National Guard Youth Camp Program does resemble the type of program this amendment would review.

Mr. RICHARDSON. Mr. Chairman, I want to work closely with my colleague as we move toward the House-Senate conference committee to develop more specific language addressing the important role youth camps can play in our war against crime and drugs.

Mr. ASPIN. Of course. I am not sure what the Senate's position will be, but I want to assure my colleague that I will work with him. Indeed I have already asked staff to begin looking into this.

Mr. RICHARDSON. Mr. Chairman, I thank the distinguished chairman of the committee.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Texas [Mr. ORTIZ] for the purpose of engaging in a colloquy.

Mr. ORTIZ. Mr. Chairman, I thank the distinguished chairman of the committee.

First, I would like to say that I fully support the reauthorization of the small disadvantaged business program which is included in this bill.

The program has been useful in increasing opportunities for minority-owned small businesses to compete for defense contracts.

A similar program that encourages the growth of minority owned small business is the Small Business Administration's 8(a) program.

I am concerned that the current recession is hindering the effectiveness of this program.

Mr. ASPIN. That is true. Many of the benefits of the 8(a) program are being drastically undermined by the recession and the cuts in defense spending. The impact of these reductions has been exacerbated by the fact, as I understand it, that most 8(a) contract opportunities have been derived from DOD procurements.

Mr. ORTIZ. I agree.

Mr. Chairman, my constituents and minority small businesses throughout the country are saying it is essential to their survival and continued growth that certain changes be made to the 8(a) program—most significantly that Congress enact legislation allowing them to remain in the program an additional 3 years.

In addition, these businesses suggest changes that would help alleviate the burdensome costs imposed on 8(a) firms when competing for 8(a) contracts.

The changes would be addressed in a pilot program to: emphasize technical rather than cost competitions; eliminate option years in the calculation of competitive thresholds; and count 8(a) competitive awards in a firm's competitive business mix.

Mr. ASPIN. I have also spoken with our colleague, RON DELLUMS, about these proposals—we believe these changes should be considered promptly by the Small Business Committee. Mr. DELLUMS and I realize we must consider proposals aimed at giving minority owned businesses the opportunities to build their businesses and compete in the mainstream of the American economy. That's the original intent of the 8(a) program.

Mr. ORTIZ. Mr. Chairman, I would like to stress again that now, more than ever, it is essential that we provide a means by which members of our minority communities can become productive members of our society.

In doing so, we will be helping not only the minority community, but American society as a whole.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Arkansas [Mr. THORNTON] for the purpose of engaging in a colloquy.

Mr. THORNTON. Mr. Chairman, I thank the chairman of the committee for yielding.

Mr. Chairman, I rise in support of the multiple launch rocket system [MLRS] program. By providing for a procurement of 30,000 rockets for the Army and by expanding the program to the Marine Corps, clearly the committee's authorization actions strongly endorse the effectiveness of the MLRS program. In that regard I would like to seek clarification on the MLRS authorization for the Marine Corps.

Mr. Chairman, our Marine Corps Commandant testified this session that his service needs MLRS launchers and rockets. In response, our House Armed Service Committee provided the authorization of \$254.7 million in funding for MLRS for the Marine Corps. While the committee report does not specify the actual provision of rockets, it is my understanding that the committee's intention was to provide for a substantial number of rockets from within the \$254.7 million in authorization funding.

Mr. Chairman, I would be very appreciative if you could outline the disposition of MLRS funding required to satisfy the Marine Corps requirement.

Mr. ASPIN. I would be pleased to provide that clarification for my good friend from the State of Arkansas. The committee went to great lengths to determine and be responsive to the actual needs of the Marine Corps. Therefore, within the overall program authorization, we provided \$107 million in authorized funding for 12,500 MLRS tactical rockets for the Marine Corps, and \$147.7 million for 42 launchers and support equipment for the Marine Corps.

Mr. THORNTON. I thank the committee chairman. I respectfully request that the report include the specific authorization of \$107 million for 12,500 MLRS rockets for the U.S. Marine Corps, as well as the quantity and dollar data just mentioned by Chairman ASPIN for launchers and support equipment. This will clear up a potential problem in the spread sheets that ultimately will be considered with the other Chamber.

Mr. ASPIN. Mr. Chairman, I would be glad to accommodate my very good friend from Arkansas in clarifying the Marine Corps MLRS rocket requirement in the committee report as requested.

Mr. THORNTON. Mr. Chairman, I want to take this opportunity to address the multiple launch rocket system [MLRS]. Specifically, I want to extend my remarks on an important issue relating to the sustained production of MLRS rockets. This issue is a technical correction, not a substantive change to the fiscal year 1993 Defense authorization bill the House is now considering.

To refresh memories, MLRS rockets were used by the U.S. Army and National Guard as well as by our allies to saturate, neutralize, and suppress Iraqi Republican Guards, Iraqi armor, their fire support, radar, and other key tactical targets in Kuwait. Was this the cannonade of our century? Yes, with 644 grenades per MLRS rocket, this was indeed the cannonade of our century. After those intense 100 hours of Desert Storm, we received abundant testimony that the MLRS system worked as well as advertised, saving American and allied lives. For these reasons, the MLRS is arguably the world's best artillery support system. For Desert Storm, Jane's Defense Weekly last February summed it up well. This publication called MLRS the backbone of the coalition's heavy artillery.

From a financial perspective, the MLRS program may well also be recorded as the best production contract in the history of the U.S. Army. For the last 11 years, the actual cost of the MLRS system has come within one-half of one percent of the forecasted goal. The MLRS is the hero of multiyear contracting.

For those reasons, this Member was particularly pleased with the fiscal year 1993 product of the House Armed Services Committee. This committee knows how to get the best price for the American taxpayer.

The problem, Mr. Chairman, is that an important number was omitted from the House Armed Services Committee's report. For the Army, the committee report indeed lists 30,000 MLRS rockets for fiscal year 1993 and authorizes \$110 million for this buy. For our marines, the committee report lists a dollar number of \$254.7 million, but does not explicitly call for rockets.

We know, however, the Marines want MLRS rockets for their launchers. For example, here is what Gen. Carl E. Mundy, Jr. our Marine Corps Commandant, testified before both the House and Senate Armed Services Committees. On May 5, 1992, General Mundy told our counterparts in the other Chamber that:

Our force structure planning effort identified * * * enhancements that will offset some of the reductions we face as a result of downsizing. One is the need for a Multiple Launch Rocket System, the MLRS, to improve our long range artillery capability. * * * We have programmed resources to procure sufficient equipment for one-half of an MLRS battalion and 15 days of ammunition. Additional launchers and ammunition will be pursued in the future to outfit an entire battalion.

It is clear that General Mundy's reference to ammunition means rockets in the MLRS case. Of course our Marines want MLRS rockets to go with their launchers. We have just been in touch with General Mundy's office, and they have informed us the Marine Corps requirement is 12,500 MLRS tactical rockets in fiscal year 1993.

I have just quoted our Marine Corps Commandant for his service's felt need for this heavy artillery backbone. Let me cite an expression from one of our marines on the front line. Typically understated, it is a Marine Corps officer's appeal for MLRS rockets. It was not composed by an armchair tactician who did not participate, who did not hear the cannonade of the century. Rather it was written by a lieutenant colonel of artillery who

linked up with an Army MLRS battery to overrun Iraqi strongpoints in Kuwait. The lieutenant colonel's name is Andres Mazzara, commanding officer of the 5th Battalion, artillery; 10th Marines, at Camp Lejeune, NC. He served in that same capacity during Operation Desert Storm. I quote a brief passage from his article in the respected Naval Institute Proceedings of November 1991:

There were, however, several artillery issues that remained * * * These include the procurement of the Multiple Launch Rocket System (MLRS) * * *. The 10th Marine Artillery Regiment was task organized with four Marine artillery battalions, an Army self-propelled (155 mm M109A3) artillery battalion, and an MLRS battery. The MLRS showed the lethality, mobility, and tremendous fire support value inherent in this technology. The Marine Corps needs this weapons system.

Our Marine Corps needs MLRS rockets, and the committee's report language explicitly refers to "multiple launch rocket systems." Systems, in this case, surely means both launchers and rockets. But because of the danger of ambiguity, let me repeat that we doublechecked with our Marine Corps, and have been told that their requirement is 12,500 MLRS tactical rockets in the 1993 fiscal year buy. What we, as a body, need to do now is make that explicit. We need to go back to the word processor and enter the authorization of 12,500 MLRS rockets for the U.S. Marine Corps in the fiscal year 1993 Defense authorization bill under debate. This will clear up a potential problem in the spread sheets that ultimately will be considered with the other Chamber. Our Marine Corps' need for MLRS rockets should not be finessed by an ambiguous spread sheet.

These are the key reasons I am requesting a technical correction in House Report 102-527. My technical correction does not add one dime to the \$254.7 million authorized by the committee. On the table on page 68, I respectfully request the addition of an appropriate line to call for 12,500 MLRS tactical rockets for \$107 million, and a corresponding correction on line 42a to read \$147.7 million for 42 MLRS launchers and support equipment. When you add \$147.7 million and \$107 million, you get the exact dollar amount authorized by the committee. The addition of a separate MLRS rocket line is solely to avoid unnecessary confusion during joint conference with Members of the other Chamber.

The CHAIRMAN pro tempore (Mr. Cox of Illinois). It is the understanding of the Chair that amendment No. 14 printed in part I of House Report 102-545 will not be offered. It the Chair's understanding correct?

Mr. ASPIN. The understanding of the Chair is correct.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 15 printed in part I of House Report 102-545.

AMENDMENT OFFERED BY MR. ANDREWS OF MAINE

Mr. ANDREWS of Maine. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ANDREWS of Maine:

Strike out section 141 (page 15, line 18, through page 18, line 19) and insert in lieu thereof the following:

SEC. 141. TERMINATION OF NEW PRODUCTION OF B-2 AIRCRAFT.

(a) PRODUCTION TERMINATION.—Funds appropriated for the Department of Defense for fiscal years after fiscal year 1991 may not be obligated or expended to commerce production of any B-2 aircraft.

(b) AUTHORIZED SCOPE OF B-2 PROGRAM.—Amounts appropriated for the Department of Defense may be expended for the B-2 aircraft program only—

(1) for the completion of production of the 15 deployable B-2 aircraft for which production was commenced with funds appropriated for a fiscal year before fiscal year 1992;

(2) for research, development, test, and evaluation, including flight testing; and

(3) for military construction associated with the deployment of the 15 B-2 aircraft referred to in paragraph (1).

(c) REDUCTION IN FUNDING.—The amount authorized in section 103 for procurement of aircraft for the Air Force is hereby reduced by \$2,686,572,000, to be derived from the B-2 aircraft program.

The CHAIRMAN pro tempore (Mr. SANGMEISTER). Pursuant to the rule, the gentleman from Maine [Mr. ANDREWS] will be recognized for 20 minutes, and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Maine [Mr. ANDREWS].

□ 1130

Mr. ANDREWS of Maine. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the debate on the B-2 bomber is one that is very familiar to all of us. We have bantered about various chestnuts on the B-2 bomber year after year. We have discussed a whole range of issues relating to this aircraft.

Last year and the year before, after considering all of the points that were raised in this debate, this House made a definitive decision about the B-2 bomber. It decided that this Nation was adequately served; in fact, that the Nation's needs would be met in total with 15 B-2 bombers.

I want to extend my appreciation to all those Members who articulated so well on this floor the argument for 15 bombers and who published reports after the debate for 15 bombers.

Mr. Chairman, the chairman of the Committee on Armed Services stated it probably best of all last year, 11 months ago, in an op-ed piece in the Los Angeles Times entitled "Yes to the B-2, but no to more B-2's," where he described the 15 B-2's that we had authorized last year as "a highly effective force."

Well, we responded last year. We agreed with those who argued for 15, and overwhelmingly this House voted for that 15 level.

Now, Mr. Chairman, we are being asked to go beyond that 15-plane level,

to 20 planes. The key question that we have to ask ourselves is what has happened in the last year that compels us to change our position and vote to support more B-2's than what we authorized last year. That is the key question, what has occurred in one year's time to convince us that we must go beyond 15, to 20.

Well, in my view, nothing has happened that would compel us to go beyond the 15 B-2 level. But I will tell you what has happened. The Soviet Union has disintegrated in that last 12-month period. The economies of our economic competitors around the world has grown stronger. Our Nation's debt has increased. The foundation of our economy and our children's future has weakened.

Mr. Chairman, I will tell you what else has happened. Americans are demanding more than ever before that Washington wake up and smell the coffee, that we stop politics as usual, that we set priorities and have the guts to stand up for the national interest and say no to unnecessary spending.

We have heard lots of talk about cutting unnecessary spending, Mr. Chairman, and getting our budget under control. We are going to hear a lot more of that talk next week.

But this is where the rubber meets the road. You do not balance budgets by resolutions or even amendments; you balance them by making strong decisions, tough decisions, the right decisions. This amendment, Mr. Chairman, I believe is the right decision.

In terms of the costs that we will be adding to our debt, the cost of authorizing these additional planes, if you believe the Pentagon, which is a great leap of faith with this particular program, but if you believe them we are talking about a bargain basement price, so called, of \$2.6 billion to extend this program to those additional planes; \$2.6 billion.

Now, we do not have the money, so we are going to have to borrow the money. If we pay that money off in 5 years, again, another great leap of faith, you are going to add another \$1.2 billion in interest payments to this country, for a grand total of \$3.8 billion to take us beyond this 15 B-2 bomber threshold.

Now, where I come from this is real money. It is talked about so often around here as a bargain. You are going to hear about all the additional capacity that we will have. You will hear about all the great things that we will be able to do. You will hear why it is a good deal.

But \$3.8 billion, you know, in my State of Maine I could pay for everything in our budget. I could eliminate the sales tax. I could eliminate the income tax. I could send a check to every taxpayer in the State of Maine and still have money left over from that amount of money.

Mr. Chairman, this is real money, and we are in a real fiscal crisis, and we have to set priorities.

The irony, Mr. Chairman, is we are not even talking about cutting, we are simply talking about holding the line at the 15 planes that we authorized last year.

The good news is that the Committee on Armed Services believes that the B-2 should work and that cost overruns should be brought under control before we finally authorize all the money for these 20 planes. I have no disagreement with that at all. But what our side is saying is absolutely make sure the planes work. Solve the cost overrun problem. But then let us draw the line at 15 planes.

Mr. Chairman, again, the question I hope that all Members ask themselves before they cast this vote is what has happened in the last 12 months that would require us to go from 15 to 20 planes.

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

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

Mr. Chairman, the gentleman is correct in that we have had this debate on this subject matter for many years now. As we can all recall, the administration started out asking for and the plan was to build 132 B-2's. As the world situation changed and the resistance grew to the so-called sticker shock on the cost of each item, the administration changed its position and said we will build 75. So the debate continued.

Finally last year the administration said, coming over by the Department of Defense, let us close this thing out. Let us come to an agreement, an understanding, build it, and stop arguing about it every year and stretching out the program making the costs run up.

The administration said, "We will settle for 20 B-2's to close it out."

We agreed, in essence, last year that certain parameters, certain goalposts, certain mileage markers would be required along the way; but we said we will build the 20.

Now we have bought and paid for 15. Last year we added another one, making 16, but we fenced the money. But we have had long lead money in here to buy parts going into the future for the additional four.

What we are asking for in this bill is \$2.68 billion in procurement to finish out the buy. That is what we are asking for, just to finish out the buy.

Now, General Lowe, who is head of the Air Combat Command that will operate these birds, says that the difference between 15 and 20 gives us a 50-percent increase in capability, a 50-percent increase just with that small addition because it will give us two wings. It will allow for downtime on some planes that might not be fully capable

at any one time due to repair and maintenance. It gives us two wings of planes 10 each.

This is what we need. This is what will suit our requirements. Not to go forward and build the last four is simply a tremendous waste of money.

As a matter of fact, we have already spent some \$35 billion. The total program will run something like \$44 billion. We will have billions of dollars of wasted money if we simply build 15 and say everything else that we have spent in long lead items is wasted.

So I think it is a very shortsighted proposal to delete these funds and cap it at 15. There has been a general agreement from both sides, pro and con, on the total subject of the B-2. We came to an agreement. Let us live up to the agreement, and finish it out. I hope this is the last time we will have the necessity of debating this issue on the floor.

Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, as a person who started this fight with the gentleman from California [Mr. DELLUMS] 3 years ago, I will tell you what the situation has been and what has changed in the last year.

□ 1140

Last December I got a phone call from Secretary Cheney. We had just come out of the conference committee where we once again were subjected to Chinese water torture. And the Senate, which has never ever been in a position of being able to kill this program, squeezed another airplane out of us, up to 16. Our little group of people who were the B-2 killers had gotten together and figured out, can we strike the big deal?

The gentleman from California [Mr. DELLUMS] and I, together with the group that worked passionately for 3 years, said, can we strike the big deal to end this program. We discussed all kinds of numbers as to how we could end the program. Figured we could not strike the big deal because the Senate was well over 40 airplanes in terms of how many B-2's they wanted to build.

Lo and behold last December the Secretary of Defense calls me on the phone and says, "John, I have studied yours and Mr. DELLUMS' argument. I have taken a look at ending this program."

Last December he said to me, "I have bought into many of the arguments that you have advanced and I have come to the conclusion that I want to end this program. The question is, John, how do I end it the most efficiently and effectively? When we came in for our initial buy, we wanted 132 aircraft. You wanted 15 aircraft. We are coming from 132, and we would like you to give us four more so that we end up at 20, which means you have to go from 15 to 20."

I said, "Mr. Secretary, you are saying that what we are going to do is Del-

lums and I have been at 15. You want us to go to 20. You were at 132, and you want to come down to 20, and you are giving me your word you want to end this program. You will not ask for another dime. We won't have any hassles out of the Senate. They will stop asking for 40. We are going to finally get this thing killed, dead, done, finished."

He said, "Yes."

I said, "Let me go back and talk to my team."

So I got together with all the guys who passionately bled for 3 years on this program and I said, "Do any of you have any objection to this?"

Let me tell my colleagues, everybody who passionately worked against this program for 3 years, who knew we never quite had enough votes to nail the lid shut on the coffin on this program, had no objection. In fact, many of us said, let us get the thing done, completed, finished, dead, killed. We got the Secretary of Defense. We got his word. So what did we do?

We did not tell the Department of Defense they can build 20. We have given them a pot of money. There is \$800 million in closeout costs that we would have to pass to a contractor is the number we get. We are saying that we are going to give them a pot of money if they can go through the hurdles, if they can pass the test, if they can pass the stealth test, they can go through the fences and they can build the thing economically and they can force the contractor down on closeout costs, we will give them the ability to go up to 20.

If they do not meet the fences, if they do not pass the stealth test, if they do not stay within the numbers, the pot of money we are giving them, that is it. They may not be able to build more than eight of these aircraft.

The bottom line is, nobody in this House took more heat than I did on this program starting 3 years ago as a Republican with a Republican President. I was opposed to this program.

My colleague and dear friend, the gentleman from California [Mr. DELLUMS], and I waged a battle we never thought we could win at 20 aircraft. We finally convinced the Secretary of Defense of the United States that we two lonely guys battling the lobbyists, the Pentagon, the President, the Secretary of Defense could end up winning this fight. And what I am interested in is shutting this program down and closing it out.

The Senate is going to constantly pass as many airplanes as they can possibly get. I want to stop the Chinese water torture of dribbling it out another plane, year in and year out. And I want the thing ended.

If we had a Secretary of Defense other than Dick Cheney, whose word I could not rely on, I may not agree. But sometimes in life, we have to know when to declare victory.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. BENNETT], the distinguished chairman of our Subcommittee on Sea Power and Strategic and Critical Materials.

Mr. BENNETT. Mr. Chairman, with the opinion of a man of a long time here, I have seen a lot of Members come and go, and the speech we just heard from this fine gentleman is an inspiring thing to hear. He is a leader and he has done great things.

However, the fact that he was able to bring about a feeling of concert between him and the Secretary of Defense does not mean that our national defense should have to follow his arrangement. He has done a marvelous job and was a man that looked to the future very well.

Mr. Chairman, I rise today in support of the Andrews amendment to cap the B-2 bomber program at 15. This has been the House position for the past few years. I believe, given the dramatic changes in the world, it is thoroughly justified today.

Let me say, I am supportive of the reorientation of the B-2 role from primarily a nuclear bomber to a conventional bomber. I also am supportive of having a silver bullet capability. But as the chairman of the House Committee on Armed Services pointed out in a press release after last year's conference, we can get by with 15 planes for a nonnuclear role. That is the role that it has.

Given the financial problems our Nation faces, which are worse than they were last year, and other high priority defense needs that I see, I cannot support spending billions more for 5 additional B-2's, especially when the committee report notes that there remains substantial uncertainty about what the future cost of this program will be. We are going to be voting on a balanced budget in the next few days, and we have got money like this for this kind of a program and for SDI that could be cut back in a more reasonable fashion.

I do not understand what runs through Members' minds, if they think this is not an ideal opportunity to see to it that we seize on this and not allow the thing to run away.

As much as I admire and love the gentleman who spoke about the deal with the Secretary of Defense, we have got to act here for the Congress as a whole and the people as a whole, and he did a good job in having an agreement, but now it is our duty to see to it that we do not overspend in this field.

Cost uncertainty and growth have been the hallmarks of the B-2 program to date. Certainly some of this can be attributed to the Congress which cut back yearly purchases, but recent cost growth especially in the full scale development program, is related to problems with the aircraft and with its inability to maintain its flight test program. These problems have been documented by the General Accounting Office.

I also have questions about the ability of the aircraft to meet its low observability specifications. We have invested an enormous amount of taxpayer money in the B-2 to date—over \$34 billion. We were asked to provide extremely expensive production quality tooling for the pre-production versions of the B-2 because the stealthiness of the aircraft was paramount. We were kept in the black about the progress of the program for years because the stealth technology was so secretive. And yet, now we are being told that the aircraft may not meet its stealth specifications, and that we should buy five more at a cost of almost 10 billion additional dollars over the next 6 years.

As I look at the future security environment that is unfolding I must be honest and say that I think we can better spend our shrinking Federal dollars on more needed defense systems. For example, we need to build more Navy ships, especially aircraft carriers, that will allow this nation to project its power abroad. At a time when we are cutting back our forces overseas, a strong naval presence is important to show U.S. commitment to various world regions.

I believe that the gentleman from Maine, [Mr. ANDREWS] is proposing a good amendment that will not hurt our national security and will help our Nation's financial situation. I support his effort and I hope my colleagues will join me.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman I speak against this amendment. I speak in favor of the committee position, which is 20 B-2 bombers.

Let me tell my colleagues what is in the committee position as well as the amendment, the later amendment that the gentleman from Wisconsin [Mr. ASPIN] will offer.

This amendment and the committee position is that we proceed with 20 bombers as opposed to 15. This amendment would say, with two fences thereon. The first is that it works, that the stealth characteristics be certified to. The second, that it come within the cost figure of \$44.4 billion. That is it.

General Lowe testified before our committee that he was very certain that both of these contingencies would come to pass, and something else we should mention that is part of the committee position is that we have to come back again next year to confirm by a vote the fact that both of these issues have been certified.

Mr. Chairman, let me point out that if we cut it off at 15, we are doing our national security a great disservice. If we have a total of 20, 4 of those 20 go to research and development and to training. The other 16 will be split into 2 squadrons, of course, at Whiteman Air Force Base, MO, but 2 squadrons of 8.

If it is cut off at 15, we will have 4 planes going to research and development and to training but one squadron of 11.

□ 1150

This is the testimony. It is terribly important that we have as much national security along the line as we can. The B-2, by the way, is reoriented for a nonnuclear and conventional role.

I oppose the Andrews amendment. I am for the committee position. I am for the Aspin amendment, should it come to pass.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. EVANS].

Mr. EVANS. Mr. Chairman, one thing we should not forget is that the B-2 is built to fight in a nuclear war. This plane was not designed to drop conventional munitions, but the proponents for building more B-2's argue now that it has a legitimate conventional role. Do not be fooled. This clearly never was the case. The stealth technology developed for this plane was meant to offset modernized Soviet air defense that they might encounter during a nuclear war. The dissolution of the Soviet Union quickly took care of these problems. This requirement simply no longer exists, and neither does the reason for this B-2 aircraft.

In addition, the Air Force is now conceding the fact that the B-2 stealth capability will not even work as advertised, and that it will need support aircraft to neutralize enemy radar sites. When questioned about the B-2's capabilities against early warning radars, General Lowe, commander of the Air Combat Command, said:

We can go out, as we did in the Gulf War, and take them out with conventional fire power so that other aircraft like the F-117 and the B-2 can overfly the area without risk.

He seemed to raise even more questions about how the B-2 would meet its performance requirements when he said, and I quote " * * * we're not going to put it in a situation where the probability of survival is not 100 percent." In addition to showing that the plane has problems, this also raises questions as to whether the Air Force is really willing to risk a \$800 million plane on dropping iron bombs on a target.

It makes no sense to buy a plane built for a nuclear threat that doesn't exist, to go to a conventional war it will never be asked to fight. I urge my colleagues to support the Andrews amendment.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington [Mr. CHANDLER].

Mr. CHANDLER. Mr. Chairman, the issue before us today can be stated in a single word, "responsibility."

It is our responsibility to promote the security of our Nation and promote world peace.

It is our responsibility to provide our military with superior weaponry so that American casualties are minimized.

I want to tell those brave fliers who protect our freedom that their personal

survival is worth the best that we can provide.

These are enormous responsibilities for us as legislators and as human beings.

The B-2 bomber is one of the cornerstones of our national defense. The manned bomber is a stabilizing element of our strategic forces as it is recallable and versatile in targeting capabilities. The B-2 is essential for maintaining a viable bombing force in the 21st century.

The original B-2 program called for delivery of 132 aircraft. In 1990, Secretary Cheney revised the requirement to 75 aircraft. Most recently with the disintegration of the Soviet Union, the President has determined that 20 planes are the absolute minimum necessary to meet our security needs.

I strongly support this position.

Will these be new threats to the United States or our allies?

Can we be certain that China will never become a security threat? Will the Middle East stabilize? Regrettably, no.

With 4 B-2's always out of service for testing and training, only 11 planes would be available for combat operations. A force of 20 B-2's will have 16 planes available, an increase in combat firepower of 45 percent.

Five B-2's can carry 80 precision bombs, which is the approximate capability of the entire force of F-117A's employed in Desert Storm.

In order to strike targets anywhere in the world on short notice without risking high losses, we must have long-range Stealth bombers. Future crises are likely to occur in areas where we are without forward deployed forces, and without prearranged access to local basing.

The B-2 has the intercontinental range to operate against targets anywhere in the world on short notice, and without dependence on forward basing. That is deterrence.

Let us keep our commitment and oppose the Andrews amendment.

The four additional B-2's requested by the President are the most cost-effective means to maintain the capability to deliver bombs on target. In short, 20 B-2's makes sense. I urge the Members to reject the amendment.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I rise today in strong support of the Andrews amendment, which would terminate the B-2 Bomber Program after the production of 15 aircraft. This amendment would save the American taxpayers nearly \$2.7 billion which would otherwise be spent to build five more B-2 bombers. Last year, the Congress decided that with the end of the cold war and the collapse of the Soviet Union, there was no need whatsoever to build more than 15 B-2 bombers. That was

the correct decision. Nothing has occurred between last fall and now which necessitates the building of five more B-2 bombers.

Proponents of building five more B-2 bombers argue that the aircraft provides a valuable contribution as a long-range bomber capable of delivering conventional weapons, and that a force of 20 planes would give the United States 50-percent increase in payload. The fact is the United States already has a bomber force with the ability to deliver conventional weapons. The B-2 bomber serves no new purpose, and in fact its original purpose was to penetrate the improved air defenses of the Soviet Union, which no longer exists. The rationale for the B-2 bomber no longer exists, and we should reject these new rationales which are being proposed by B-2 proponents.

Ultimately, however, this is a budget issue. If we are ever going to seriously address our Nation's debt and deficit problems, we are going to have to say "no" to some of these big ticket items which require billions of dollars of appropriations each year. The B-2 Bomber Program has experienced dramatic cost growth—just in the past year, research and development costs have increased by \$1.8 billion in order to fix problems with the aircraft identified during the first 14 percent of the scheduled flight tests. The Air Force will almost certainly request additional funding in the future to fix problems that have yet to be identified.

Again, I urge Members to take an important step toward a balanced budget by supporting the position the House approved last year of terminating the B-2 Bomber Program at 15 planes. Vote for the Andrews amendment.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the very distinguished and persuasive gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, the House has made some very significant votes over the last several days to reduce our troops abroad. We are bringing America's military capability back to the United States. In order to have military capability to fight a war like the war against Iraq, we are going to need high-technology weapons like the B-2 Stealth bomber. The reason we were able to gain air superiority in Iraq quickly is because of the F-117 strike aircraft. We coupled stealth technology with smart weapons and we were able to dominate the Iraqis, and our non-conventional, nonstealthy aircraft then came in and put them away. We saved thousands and thousands of American lives because of that advanced stealth technology.

Five additional B-2's are equivalent in load-carrying capability to the 42 F-117's that we had out in the gulf. We can operate those B-2's from the United States. With one aerial refueling we could have bombed Baghdad with impu-

nity and we could have bombed any Iraqi divisions if they had gone into Saudi Arabia, and according to Rand analysis, we could have stopped them in their tracks.

What we are talking about is a weapons system started under a Democratic President, Jimmy Carter, that combines stealth, long range, and superior capability. We are going to not use it as a nuclear bomb-dropper, we are going to use it with smart conventional weapons. When we put stealth technology together with smart conventional weapons, we get an enormous increase in capability.

As I said, this is the kind of capability that a contingency force is going to need in the future to maintain our military superiority. We have invested \$41.5 billion of the taxpayers' money. For \$2.6 billion more we can increase by 45 percent that capability with this important aircraft.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. GORDON].

Mr. GORDON. Mr. Chairman, next week this body is going to vote on a balanced budget amendment. I am going to support that balanced budget amendment, and I suspect a number and probably the majority of my colleagues here are going to support that amendment.

Let me just remind my colleagues that are going to support that amendment next week that the budget is not balanced by an amendment. The budget is not balanced by a magic wand. The budget is balanced by tough choices and tough votes. That means more than just doing away with programs that do not work, programs that are inefficient. We are also going to have to do away with some programs that are low priority.

Certainly \$2.7 billion for five airplanes that we do not need and that have not proven to work has got to be a low priority.

I encourage my colleagues to put their votes where their mouths are and vote for the Andrews amendment and for something that really is meaningful on balancing our budget.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

□ 1200

Mr. THOMAS of Wyoming. Mr. Chairman, I rise in opposition to the Andrews amendment and I do so because of the response of the man who is responsible for managing our defense system who says he needs those weapons systems.

But I would like to comment on a little broader aspect of the last 2 or 3 days' discussion. We have had nearly now 3 days of this defense authorization, and it has produced I think one of the weakest demonstrations of public-policy development I have seen if you

subscribe at all to the idea that the Congress is to set the level of expenditures and say to the Secretary of Defense and his team, you put together and coordinate in an effective way so that you can continue to do what you have done so well, and that is defend this Nation, then Congress has totally missed the mark.

This debate has consisted of a parade of Members protecting systems and protecting the economy of their areas, interspersed with Members who never wanted a Defense Establishment, and who have done their best to dismantle it in a piecemeal way. If we are going to take defense apart, at least we ought to do it in such a way that what is left fits together and is able to achieve the goal of national defense.

Mr. Chairman, a final question we need to ask ourselves, of course, is whom do we want to manage the Defense Department, Dick Cheney and Colin Powell, or Members of Congress who never really wanted a Defense Establishment in the first place.

There are several basic decisions in this authorization that do need policy discussion. Otherwise, this micro-management by Congress is not useful and is a destructive exercise, and if it passes in this form I hope the Committee will recommend that it be recommended to the Committee on Armed Services for a new start.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Chairman, speaker upon speaker has come to the well of this House to applaud the changes that have occurred across this globe during the last 30 months. The disintegration of the Soviet Union, the yoke of Marxism having been lifted from the necks of people in Eastern Europe, free elections in Nicaragua and the end of apartheid in South Africa.

We have a rare opportunity today, and that is to cancel this program. Just think of it, 37 million Americans without any health insurance, 1 out of every 5 students across this Nation who does not finish high school. It is time to set the domestic agenda straight. It is time to put our priorities in line. It is time to end the B-2 bomber.

Mr. Speaker, let me just conclude by suggesting this: Since the great source and strength of this weapon has been the fact that nobody can see it, why do we not just conclude the program today and not tell what is left to our enemies that we have concluded the program across the world.

Mr. DICKINSON. Mr. Chairman, it is an honor for me to yield 1 minute to the gentleman from Texas [Mr. JOHNSON], who knows a little bit about flying and airplanes, having been shot down in Vietnam.

Mr. JOHNSON of Texas. Mr. Chairman, I think we have to provide for our

national security. And I have flown a lot of airplanes, and I hate to hear people say stop the program, stop the boat.

The chairman is very right when he says we need at least 20. They were talking about a lot of airplanes more than that. You cannot run an air force with 15 airplanes, 15 bombers. Think about it. You cannot keep them all in commission. So if we were to run into a situation like the Middle East again, we would not have 10 airplanes over there at one time. That is not enough to do any good with.

These airplanes give us nearly, the extra five give us nearly a 50-percent increase in operational payload for only 6-percent increase in program cost. It makes sense. We need to do it.

That airplane will carry conventional weapons, so it is a good aircraft across the board. It carries enough to take care of targets. It is modern technology.

We cannot live with biplanes. I refer to the statement by the gentleman from California [Mr. DORNAN] in his comment that we are celebrating the anniversary of Midway and World War II, and in Midway we did not have modern airplanes, and it took us a long time to gear up. If we do not keep our military modern we are in deep trouble.

Mr. Chairman, I urge Members to vote against this amendment.

Mr. ANDREWS of Maine. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah [Mr. OWENS].

Mr. OWENS of Utah. Mr. Chairman, I rise in strong support of the Andrews amendment to end the B-2 program at the 15 planes authorized last year. I want to commend my colleague from Maine for his energetic and persistent effort to put a stop to this wasteful program and for holding this body to the B-2 level agreed to last year.

Mr. Chairman the B-2 has underlived its usefulness. Its vaunted stealth feature doesn't work. And with a price tag of \$2.25 billion per bomber—yes, \$2.25 billion per plane, you heard right—the B-2 is by far the most expensive warplane ever built.

If the enormous cost doesn't convince you, the fact that the B-2 no longer has a mission should. The B-2 is a cold war relic designed to penetrate Soviet airspace undetected and drop as much as 50,000 pounds of nuclear bombs on its target.

Originally, the administration intended to deploy 132 B-2's. Earlier this year, the President, all but conceding that the B-2 was outmoded, requested 20 planes.

Frankly, Mr. Chairman, I am disappointed that the committee chose to ignore the action we took last year in voting to stop the B-2 program at 15 planes, which are more than enough to meet our national defense needs. No

threat has emerged since last year to justify the junking of last year's decision.

I can fully understand why the President wants to continue the B-2 program. The administration's complete lack of vision and innovation is reflected in the most recent polls and the demise of the President's job approval rating. The all-too-typical reaction from the executive branch is a sad testament to the cold warriors petrified at the thought of a world safe from a superpower rivalry.

On a performance rationale, the B-2 does not measure up. It cannot evade radar and even the Air Force admits that without additional funding the plane will not possess sufficient stealth capability. So even though we have spent over \$30 billion on the B-2, we will have to spend even more just to make it work. The only thing stealthy about the B-2 is the sneaky way in which it fleeces the taxpayer.

When will this bill reflect the true national security needs of this country, as opposed to simply continuing funding of the bloated military-industrial complex, as this bill does?

I urge my colleague to restore some sanity to this bill and support the Andrews amendment.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 2 minutes to our majority whip, the distinguished gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Chairman, I thank my colleague for his leadership.

Last year we agreed to stop the B-2 bomber at 15 planes, yet this defense bill authorizes \$4 billion more for the B-2, raising the total to 20 bombers. The question is why.

The cold war is over, the Soviet Union is at an end, we have urgent domestic needs here at home. Why do we need more B-2 bombers?

The B-2 was designed as a nuclear bomber that would penetrate Soviet airspace. Today there is no longer a Soviet Union. The B-2 is a plane, Mr. Chairman, without a mission.

The time has come to set our priorities straight. If we are going to balance the budget, if we are going to take care of our urgent priorities here at home, we should not buy more B-2 bombers.

Today's headline I think tells the story. Unemployment shot up to 7.5 percent, the highest figure in 8 years. And we all know that the real figure is somewhere in the neighborhood of 14 to 15 percent if we count the structurally unemployed and those who cannot find full-time work. And yesterday's headline in the Post showed us that 600,000 workers have been left uncounted. How can we justify billions for the B-2?

It is time we started to take care of people's needs right here at home. America's economic might I believe is as important as our military might. Save the taxpayers from another Pen-

tagon boondoggle. Vote for the Andrews amendment to terminate the B-2.

Mr. DICKINSON. Mr. Chairman, speaking of fighter pilots, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I insert in the RECORD my "Dear Colleague" letter on this issue.

The letter referred to follows:

HOUSE OF REPRESENTATIVES,
May 6, 1992.

WHY WE NEED 20 B-2 STEALTH BOMBERS

DEAR COLLEAGUE: There has been much debate this year regarding the President's request to procure 5 additional B-2 bombers for a total force of 20 aircraft. Many have argued that the current number of authorized aircraft, 15, is more than adequate for future roles and missions. However, the Air Force has countered that 20 B-2s represents the minimal force for effective operations. Because of this debate and the upcoming vote on the defense authorization bill, I wanted to share with you the comments of our top two bomber experts, General Mike Loh of the Tactical Air Command and General Lee Butler of the Strategic Air Command, regarding the need for 20 B-2 bombers.

During a recent Armed Services hearing, General Mike Loh stated:

"We need to procure 20 B-2s. With 20 B-2s, we will have 16 operational and ready to fight at any given time. We will have the other four in a combination of testing, training and modification. With 20 B-2s we can field 16 on extremely short notice; but with 15 B-2s we would be able to field at most 11 operational aircraft. . . .

"Obviously 16 operational B-2s gives us more firepower—almost half again more payload than 11—plus the additional versatility and flexibility that comes from having more platforms. Five more B-2s gives us the ability to strike up to 80 more time critical targets each night.

"More importantly, 20 aircraft give us a more flexible, versatile B-2 force. With 16 operational B-2s we can form two squadrons of eight aircraft each, the minimum number practical for an operational bomber squadron. This gives us an enormous amount of operational flexibility and versatility compared to having only one squadron of 11 aircraft.

"... With two eight-aircraft squadrons, we can launch one from Whiteman AFB in Missouri and begin bombing operations immediately, while the other squadron deploys to a forward base. By moving closer to the fight, this second squadron can keep the pressure on the enemy, sustaining our operations. We cannot do this with a smaller force. . . ."

Meanwhile, General Lee Butler makes perhaps the most important point of the hearing when he states, "In the first week of an air attack, over 300 more . . . targets could be attacked by a B-2 force of 20 operational aircraft compared to a force of 15 aircraft."

What this means in simple terms is that at least 300 less American pilots would be forced to risk their lives in much less survivable aircraft such as the F-15 or F-16, aircraft which could then be dedicated to much more appropriate missions. These 300 American lives in harm's way are the bottom line as to why we should produce at least 20 B-2s!

Best regards,

ROBERT K. DORNAN,
Member of Congress.

Mr. Chairman, we are debating an aircraft, a defense system right smack in the middle of the 50th anniversary of the Battle of Midway. There were debates in this Chamber in the 1930's about naval aviation. People did not want to leave the trusted and true biplanes that our Navy flew right up to 1940 and trained with through the whole war.

By a whisker in this House, Douglas Aircraft in Santa Monica, I would like to point out to the gentlewoman from California [Mrs. BOXER], who is the frontrunner for the Senate race, that was the beginning of the California aerospace industry. We bought a small number of Douglas Dauntless scout bombers, and those aircraft yesterday, 50 years ago, and again today turned the tide of the entire war in the Pacific.

But people in advance threat denial then said that Hitler was a pipsqueak, and that Mussolini was making the trains run on time so that he could not be all bad, and they came to this well and they said no, we do not need the hellcat, the Wildcats were fine. Well they were all shot down, every one at the Battle of Midway. The word in the history book I read last night was "massacred," our fighter pilots from Midway were massacred when they tried to reach the Japanese fleet. But the Dauntless and later the Grumman F-6F Hellcat made in Long Island, a New York system, turned the tide.

We do not know what the future holds out there for us. But we do know that two squadrons for just 6 percent more of cost gives us a totally different defense with the B-2's. Yes, we could put off a Qadhafi, the April night of the 14th and 15th in the 1986 raid, but no rolling raids, no continual denial of nuclear or biological or chemical weapons to a future Qadhafi or to Qadhafi himself. No rolling raids. A one-night stand, and that is it if we do not have these other five airplanes.

I applaud the chairman of this committee for supporting this position.

Mr. ANDREWS of Main. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. DELLUMS], a member of our committee.

Mr. DELLUMS. Mr. Chairman, as the other half of the Dellums-Kasich effort that tried for years to stop the B-2 bomber program, I rise in support of the amendment offered by the gentleman from Maine.

When we started this debate we asked three questions: Do you need it? Can you afford it? And are there alternatives? We answered, no, you do not need it, no, you cannot afford it, and yes, there are alternatives.

You do not get anything, Mr. Chairman, with 20 that you do not have with 15. At a time when our cities have been burning and our communities around the country are suffering great despair,

we do not need to spend \$2.6 billion to continue to build this monument to lack of necessity. This is an absurdity. We ought to stop this at this point.

If you could argue intelligently that you only needed 15 last year, I would suggest that the world is a lot safer place this year than it was last year. But our communities desperately need the resources more this year than they needed them last year. Given that logic, support the amendment offered by the gentleman from Maine and cut these five planes and save \$2.6 billion.

Mr. DICKINSON. Mr. Chairman, I am very pleased to yield 2 minutes to the distinguished gentleman from Kansas [Mr. SLATTERY].

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

Mr. Chairman, I rise today to say that we are celebrating today a great victory for the American taxpayers. I think it is important for us to see this whole effort in historical perspective.

Several years ago the administration and the Pentagon were requesting 132 aircraft. As recently as last year they were asking for 75 aircraft.

□ 1210

The cost was projected to be in excess of \$80 billion for this program. Thanks to the leadership of the gentleman from California [Mr. DELLUMS] and the gentleman from Ohio [Mr. KASICH], the gentleman from Oklahoma [Mr. SYNAR] and several others, this program today is going to end. I think we ought to celebrate a great victory today with the ending of this program.

The question before us, however, is, What is the most sensible way to end it?

Now, clearly, we are not going to build any more than 20 planes, and I do not believe we are going to build the 20 planes.

It seems to me that the Andrews amendment has one fatal flaw, and that is that we are in effect today prematurely authorizing \$4.3 billion. Before I make that commitment to spend another \$4.3 billion for these planes, I want to find out if they are going to fly right. Are they stealthy or not, yes or no.

The committee position, the committee language, makes it certain that we are going to have another vote before we build any more planes. As far as I am concerned, that is the responsible position to take at this time.

So, Mr. Chairman, I have to reluctantly urge opposition to the Andrews amendment, support for the committee position, and I am convinced we are going to have another vote on this to determine whether we should be building any more planes.

But the bottom line is this, Mr. Chairman. This is a big victory, a big victory. We are talking about having saved the taxpayers \$40 billion at least,

\$40 billion. This is the biggest victory in terms of terminating a weapons system perhaps in the history of this country.

I want to tip my hat again to the gentleman from California who had the wisdom a long time ago to see the ridiculous nature of this project, and so did the gentleman from Ohio.

So I do not think we should go home today regardless of the outcome of this vote and think anything other than the fact that the taxpayers won a great victory here today.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, we have a chance, for those of us who were in this Chamber in the mid-eighties, to do another good deed by killing the B-2. We killed the Divad, Division air defense gun, if you remember, a gun that did not have a mission, did not have a program and had a price tag that was astronomical.

People on this floor said, "Oh, no, you shouldn't do this. It's terrible. We're taking all this away from our military."

It was a joke. We were lied to. We were cheated. We were stolen from, and that is what the taxpayers are getting with the B-2.

Let me quote:

In the wake of the fall of the Soviet Union, the Air Force quickly relegated the B-2 to use as a deterrent for future aggression.

One military expert said:

There's nothing it could do that can't be done now by existing B-52's or F-117A fighter bombers, which at \$42.6 million apiece, are less than one-twentieth of the cost of a B-2 bomber.

Mr. Chairman, now is the time, as the gentleman from Kansas [Mr. SLATTERY] said, to have a real victory, save every dime you can, help people in this country, instead of helping the military-industrial complex.

I have a news flash, Mr. Chairman. The cold war is over. We won, and now the taxpayers deserve their money back.

Mr. ANDREWS of Maine. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I agree to some extent with my friend, the gentleman from Kansas. This is sort of a victory, but I just wish he could find a cheaper way to celebrate than to the tune of \$2½ billion because that is what is at issue here.

He says, "No, no. We're going to fence it and we are going to have another vote, because they are going to have to certify it."

The last time I heard that we were going to have another vote was for one. Now we are going to vote for five. Spare me another vote, because the next time we have a vote, I do not know how many you are going to have.

The issue is very simple. If you believe that we are going to fence this, and we are going to get an honest appraisal from the Pentagon, and we are going to come back and say, oh, we are not going to do these five, then you really do not belong here, because you have not been observing the way this place works.

The fact is we have a very clear choice now. Do we build five more at \$2½ billion, and not just build them, by the way, because if you build them, then you put people on them, and you maintain them, and you fuel them, and you put the weapons into them.

We are not just talking about the \$2.3 billion now. We are talking about adding to the O&M in the future.

Please vote to save the money now.

Mr. ANDREWS of Maine. Mr. Chairman, let me say in closing that there have been more red herring thrown out in this debate than we have fish in fish markets in Maine.

I want to make it absolutely clear. What we are talking about in this amendment is, yes, closing out the program; yes, stopping the cost overrun problems; yes, fixing the Stealth problems, but stopping it at 15 planes, what everyone agrees is a very effective force.

And recognize, Mr. Chairman, that we have a budget deficit that is out of control. We have tremendous needs in this country that need addressing, and this is certainly not, as we have been told, a bargain for anybody. I was taught that buying something that you do not need—with money that you do not have—is no bargain at any price. And when you consider \$3,800,000,000, including the interest we are going to have to pay, because we are going to have to borrow the money to buy these, this is no bargain.

Mr. Chairman, I ask everyone in this House to vote for fiscal responsibility. Vote for our children. Vote for 15 B-2 bombers and no more B-2 bombers.

Mr. DICKINSON. Mr. Chairman, to conclude the debate on this amendment, I yield the balance of our time to the gentleman from Wisconsin [Mr. ASPIN], the distinguished chairman of the Committee on Armed Services.

Mr. ASPIN. Mr. Chairman, I rise in opposition to the Andrews amendment and in support of the committee position.

Just a couple things that are pretty obvious here to summarize; one is that the coalition which brought you the reduction in B-2's is kind of split on this issue. The coalition was Dellums-Kasich-Synar-Slattery. We now have SLATTERY and KASICH opposed to the Andrews amendment, the gentleman from California [Mr. DELLUMS] is for it.

As a disciple of that gang of four, I have decided that the people who are right in this case are the gentleman from Ohio [Mr. KASICH] and the gentleman from Kansas [Mr. SLATTERY].

Basically, I think there is a case for 20 B-2's provided you can make the Stealth work, and if the Stealth does not work, I do not even want 15.

The problem with the amendment of the gentleman from Maine is that we have 15 whether they are stealthy or not, whether we have continued cost overruns, or whether we do not have any.

Essentially what we need to do is decide later whether we are going to stop and say 8 or go ahead until we have 20.

If they fix the cost, if they fix the Stealth, we ought to buy 20, but we should not sign up for anything irrevocably here today.

Mr. Chairman, I urge defeat of the Andrews amendment.

Mr. AUCOIN. Mr. Chairman, the B-2 bomber was designed to delivery very large nuclear payloads over very long distances while penetrating very advanced defenses.

That requirement died with the Soviet Union. We now have an airplane that's radically overdesigned and overcost for what we need.

Is it a technically sound airplane? Yes.

Is it the world's best penetrator? Yes.

Does it use magnificent new manufacturing technology? Yes.

Can we get the next 20 planes at cheaper unit cost than 15? Yes. We could also get 1,000 planes at even cheaper unit cost. So what?

Will 20 planes give us more capability than 15? Yes. And 1,000 planes would give us more capability still.

Are 20 B-2 bombers worth what they would cost us? No way.

That is the bottom line. We just do not need more.

We have the B-1 bomber. This was not the most successful program in the world, and I opposed it. But we have it.

And we have the B-52. Together, they give us by far the most massive bomber capability in the history of the world.

Will there be high-threat missions that only the B-2 can perform? Maybe. We have already bought 15 B-2's for these special missions.

Mr. Chairman, enough is enough. Fifteen B-2's is enough; 20 is a luxury we cannot afford.

Mr. OLVER. Mr. Chairman, I rise today in strong support of the amendment offered by my colleague, the gentleman from Maine [Mr. ANDREWS].

This is an opportunity for Congress to inject some sanity into the defense authorization.

The B-2 is a plane without a mission. Despite numerous attempts to redefine its mission, one fact remains: it was designed during the cold war for a nuclear mission against the Soviet Union. The cold war is over, the Soviet Union no longer exists, yet we now want to pour billions more into outdated, useless weapons systems.

Like the Iron Curtain of the old Soviet bloc, Congress has now pulled a high-technology stealth curtain around the city of Washington DC—no one in Congress will admit it's there, but the fact is, Congress has shut itself off from the rest of the world. We are insistent on continuing our battle against disappearing enemies, and nonexistent threats.

Unfortunately the stealth curtain is working much better than the Stealth bomber ever will. Congress has managed to avoid reacting to the changes in Eastern Europe—but according to the Air Force the Stealth bomber may not be able to avoid enemy radar.

What we've got is a cold war weapon, that doesn't work properly. This is an affront to the taxpayers, and an affront to the millions of Americans who are hurting.

I urge my colleagues to pull back the stealth curtain, and join the rest of world in accepting a truly new world order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. ANDREWS].

The question was taken; and the Chairman pro tempore [Mr. COX] announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 212, not voting 60, as follows:

[Roll No. 170]

AYES—162

Abercrombie	Johnson (SD)	Price
Andrews (ME)	Johnston	Rahall
Applegate	Jontz	Ramstad
Atkins	Kennedy	Rangel
AuCoin	Kennelly	Reed
Bacchus	Kildee	Richardson
Bennett	Kiecicka	Ridge
Bereuter	Klug	Riggs
Berman	Kopetski	Roemer
Blackwell	Kostmayer	Roukema
Bonior	LaFalce	Russo
Boucher	Lantos	Sabo
Boxer	LaRocco	Sanders
Bruce	Leach	Sangmeister
Campbell (CO)	Levin (MI)	Santorum
Cardin	Lipinski	Savage
Clay	Long	Sawyer
Clement	Lowe (NY)	Schiff
Coble	Manton	Schroeder
Collins (MI)	Markey	Schulze
Condit	Mavroules	Schumer
Conyers	Mazzoli	Sensenbrenner
Cox (IL)	McCloskey	Serrano
Coyne	McDermott	Sharp
DeFazio	McHugh	Shays
DeLauro	McNulty	Sikorski
Dellums	Meyers	Skaggs
Derrick	Mfume	Slaughter
Donnelly	Mineta	Smith (FL)
Dorgan (ND)	Moakley	Snowe
Duncan	Moody	Solarz
Durbin	Mrazek	Staggers
Early	Murphy	Stallings
Edwards (CA)	Nagle	Stark
Engel	Neal (MA)	Stokes
Espy	Nowak	Studds
Evans	Nussle	Swett
Fish	Oakar	Swift
Flake	Oberstar	Synar
Foglietta	Obey	Tallon
Ford (TN)	Olver	Towns
Frank (MA)	Orton	Traffant
Gejdenson	Owens (NY)	Traxler
Gibbons	Owens (UT)	Vento
Gordon	Panetta	Vislosky
Guarini	Pastor	Washington
Hall (OH)	Payne (NJ)	Waters
Hayes (IL)	Payne (VA)	Waxman
Henry	Pease	Weiss
Holloway	Penny	Wheat
Horn	Perkins	Wise
Hughes	Peterson (MN)	Wyden
Jacobs	Petri	Yates
Jefferson	Poshard	Zimmer

NOES—212

Allard	Gephardt	Murtha
Allen	Geren	Myers
Anderson	Gilchrest	Natcher
Andrews (NJ)	Gillmor	Neal (NC)
Andrews (TX)	Gilman	Ortiz
Annunzio	Gingrich	Oxley
Archer	Glickman	Packard
Armye	Gonzalez	Pallone
Aspin	Goodling	Parker
Baker	Goss	Paxon
Ballenger	Gradison	Peterson (FL)
Barnard	Grandy	Pickett
Barrett	Gunderson	Pickle
Barton	Hall (TX)	Quillen
Bateman	Hamilton	Ravenel
Bentley	Hancock	Ray
Bevill	Hansen	Regula
Bilbray	Harris	Rhodes
Bilirakis	Hastert	Rinaldo
Bliley	Hayes (LA)	Ritter
Boehler	Hefley	Roberts
Boehner	Hoagland	Rogers
Borski	Hobson	Rohrabacher
Brewster	Hochbrueckner	Ros-Lehtinen
Browder	Hopkins	Rose
Bryant	Horton	Rowland
Bunning	Houghton	Roybal
Burton	Hoyer	Sarpallus
Callahan	Huckaby	Saxton
Camp	Hunter	Schaefer
Carper	Hutto	Shaw
Carr	Hyde	Shuster
Chandler	Inhofe	Sisisky
Chapman	James	Skeen
Coleman (MO)	Jenkins	Skeltton
Coleman (TX)	Johnson (CT)	Slattery
Combest	Johnson (TX)	Smith (IA)
Cooper	Jones (NC)	Smith (NJ)
Costello	Kanjorski	Smith (OR)
Coughlin	Kaptur	Smith (TX)
Cox (CA)	Kasich	Solomon
Cramer	Kolbe	Spence
Crane	Kyl	Spratt
Cunningham	Lagomarsino	Stearns
Darden	Lancaster	Stenholm
Davis	Lewis (CA)	Stump
DeLay	Lewis (FL)	Sundquist
Dickinson	Lightfoot	Tanner
Dicks	Lloyd	Tauzin
Dixon	Lowery (CA)	Taylor (MS)
Dooley	Machtley	Taylor (NC)
Doolittle	Marlenee	Thomas (GA)
Dornan (CA)	Martin	Thomas (WY)
Downey	Martinez	Thornton
Dreier	Matsui	Torres
Dwyer	McCandless	Torricelli
Eckart	McCollum	Upton
Edwards (OK)	McCrery	Valentine
Edwards (TX)	McCurdy	Volkmer
Emerson	McDade	Walker
English	McEwen	Walsh
Erdreich	McGrath	Weber
Ewing	McMillan (NC)	Weldon
Fascell	McMillen (MD)	Wilson
Fawell	Michel	Wolf
Fazio	Miller (OH)	Wyllie
Franks (CT)	Mollinari	Yatron
Frost	Mollohan	Young (AK)
Gallo	Montgomery	Young (FL)
Galleo	Moorhead	Zeliff
Gekas	Moran	

NOT VOTING—60

Ackerman	Green	Mink
Alexander	Hammerschmidt	Morella
Anthony	Hatcher	Morrison
Beilenson	Hefner	Nichols
Brooks	Herger	Olin
Broomfield	Hertel	Patterson
Brown	Hubbard	Pelosi
Bustamante	Ireland	Porter
Byron	Jones (GA)	Pursell
Campbell (CA)	Kolter	Roe
Clinger	Laughlin	Rostenkowski
Collins (IL)	Lehman (CA)	Roth
Dannemeyer	Lehman (FL)	Scheuer
de la Garza	Lent	Thomas (CA)
Dingell	Levine (CA)	Unsoeld
Dymally	Lewis (GA)	Vander Jagt
Feighan	Livingston	Vucanovich
Fields	Luken	Whitten
Forl (MI)	Miller (CA)	Williams
Gaydos	Miller (WA)	Wolpe

□ 1240

The Clerk announced the following pairs:

On this vote:

Mr. Ford of Michigan for, with Mr. Bustamante against.

Mrs. Morella for, with Mr. Herger against.

Messrs. TORRES, KOLBE, and PALLONE changed their vote from "aye" to "no."

Mr. CLAY and Mr. RIGGS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FORD of Michigan. Mr. Speaker, I wish to have the RECORD show that I cancelled my flight to Michigan and my engagements here to stay and vote on rollcall 170, the B-2 issue.

I voted "aye"; however, the printout of that vote indicates me as not voting. It is in error. I want the RECORD to show it.

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

Mr. Chairman, I would like to yield to the gentlewoman from Colorado [Mrs. SCHROEDER], the chairwoman of the Subcommittee on Military Installations and Facilities of the Committee on Armed Services, for the purpose of engaging in a colloquy with other Members.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to engage in a colloquy at this time with the gentleman from Oklahoma [Mr. SYNAR].

Mr. SYNAR. Mr. Chairman, if the gentleman will yield, I thank the gentlewoman from Colorado [Mrs. SCHROEDER] for engaging in this colloquy.

Mr. Chairman, the U.S. General Accounting Office has found that overseas U.S. military base personnel have in the past and continue to mismanage hazardous materials. Two of the reports were, in fact, classified by the DOD. Apparently, DOD was afraid that, should the populace of host countries discover what the GAO had found with respect to the extent of U.S. military hazardous waste management and contamination problems overseas, the United States might lose its bases in those countries, which in turn would jeopardize our own national security.

Is it the gentledady's intention that the United States shift the entire cost of environmental cleanup to the host nations, or does the gentledady intend some sort of equitable burden sharing?

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will yield, as the gentleman knows, the administration is the one that enters into the negotiations with the host nation on the terms and conditions of the basing rights and the closures, and they can allocate payment responsibilities.

I think the issue is, can the host nation afford to pay for the cleanup. We

should aggressively push them to pay for what they can reasonably expect to pay. If they cannot afford to pay it, I assume that the administration will take it into account when they negotiate.

But my real point is, it is difficult for the United States to pay for a lot of these cleanups when we cannot pay to clean up for all the bases at home. We have many domestic bases on our closing list that want to be returned to the beneficial use of communities, and have not been able to be cleaned up yet.

Mr. SYNAR. Mr. Chairman, does the gentlewoman intend for this amendment to excuse the U.S. military from any obligation to ensure that its practices at overseas installations protect human health and the environment?

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will yield, I am sure the gentleman knows the amendment does not affect existing laws regarding environmental cleanup or international agreements or treaties.

Mr. SYNAR. Mr. Chairman, if the gentleman will yield further, I am also concerned that the amendment could endanger our ability to keep facilities we have overseas and that it could impair our ability to obtain facilities in the future, should we need them.

Does the gentlelady share that concern or have any input on this proposal from the State Department?

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will yield, I am sure the gentleman from Oklahoma [Mr. SYNAR] knows future basing rights are subject to negotiation. I am sure any country would take that into account. I hope that our efforts on burden sharing will not have adverse impacts on these future negotiations. But I think we also know the world is changing, and we have to deal with it.

Mr. ASPIN. Mr. Chairman, at this time I would like to yield to the gentleman from California [Mr. PANETTA] for a colloquy with the gentlewoman from Colorado [Mrs. SCHROEDER].

Mr. PANETTA. Mr. Chairman, I thank the distinguished gentleman for yielding. I know that the chairwoman of the Subcommittee on Military Installations and Facilities, the gentlewoman from Colorado [Mrs. SCHROEDER], shares my serious concerns about Department of Defense contracts for firms hired to perform various tasks at military installations. All too often, we have discovered that the Department awards contracts to firms operating in regions far removed from the job site area. Even when their capabilities are equal, it seems, the Department passes over smaller local firms in favor of larger organizations. For several years now, I have been discussing with the Department of Defense, the Armed Services Committee, the Education and Labor Committee, and the Government Operations Committee the best

means of ensuring that small local firms are given a fair chance to win contracts and subcontracts. May I inquire of the chairwoman the views of the subcommittee on this issue?

Mrs. SCHROEDER. The subcommittee is aware of this situation and shares your concern about the problems of local contractors. We intend to raise these questions with the Secretary of Defense to determine what can be done to improve the situation you describe. In addition, I intend to ask the General Accounting Office to initiate an investigation of these problems and report back to the committee on ways to improve the process to ensure fair and open competition for all contractors.

Mr. PANETTA. I thank my friend for her understanding of the concerns of local contractors and for her statement of the subcommittee's policy.

Mr. ASPIN. Mr. Chairman, at this point I would yield to the gentleman from Missouri [Mr. SKELTON] to engage in a colloquy with the gentleman from California [Mr. PANETTA].

Mr. PANETTA. I thank the gentleman for yielding. Mr. Chairman, I would like to engage the gentleman from Missouri, the chairman of the Armed Services Committee panel on military education, in a colloquy on my amendment authorizing a new personnel system for the Defense Language Institute [DLI]. Having worked closely with the gentleman and with the chairman of the Subcommittee on Investigations to craft a modification of H.R. 1685 acceptable to all sides, I would like to ask my friend for his assurance, on behalf of the panel on military education, that the panel and the subcommittee have elicited certain guarantees from the Department of Defense relating to its implementation of this legislation.

Mr. SKELTON. Mr. Chairman, I want to commend my good friend, the gentleman from California, for the excellent work he has done in focusing our attention on the Defense Language Institute, an institution that is truly a national asset. As a consequence of the gentleman's dedication to DLI, the Investigations Subcommittee of our Committee on Armed Services held a hearing last week to examine what measures need to be taken to ensure the continuing viability of the school in a time of immense change. Chairman MAVROULES and, I believe, everyone present agreed that nothing must be allowed to interfere with DLI's continued success in increasing the fluency of succeeding generations of Government personnel in a host of foreign languages.

The hearing served to heighten our concern for DLI's well-being with respect to several issues raised by the gentleman from California. Working together, the committee, Department of Defense officials, and the gentleman

from California have agreed on a number of measures that should go a long way toward resolving those issues. I would like to discuss them at this time.

First comes concerns about the personnel system. There needs to be more flexibility to fashion personnel policies and procedures to meet the needs of the school. Specifically, in accordance with directives established by the Secretary of Defense, it is the committee's view that DLI should have:

Its own hierarchy of academic ranks; A compensation system linked to academic rank, untied from the civil service pay scales; and

Governing directives tailored to its unique requirements concerning faculty appointment, qualifications, duties, classification, and length of service.

These needs can be met with a change in the law that the committee has agreed to include in the en bloc amendment. The change brings the DLI faculty under title 10, giving it the same status as the National Defense University. Three years ago I sponsored the legislation that brought NDU under title 10. I can attest that it allows the flexibility with respect to personnel issues that are needed at DLI. And, because I have a letter from the Assistant Secretary of Defense for Personnel Management confirming his testimony last week, I can also assure you that the Department of Defense will take actions once the title 10 authority is enacted to provide the same flexibility in personnel matters for DLI that is now enjoyed by NDU.

I would add one note of caution, however. I believe the DLI administration should consult with the schools that enjoy the increased latitude provided by title 10 prior to implementing the new personnel policies. Tenure is an example. The legislation grants the Secretary of Defense the authority to establish a tenure system at DLI. I would note, however, that even though the National Defense University has had the authority for several years, it has not established a tenure system. Instead, it employs a mix of short- and long-term contracts. This approach gives NDU the flexibility to review the performance of new faculty members frequently and to reward consistently high performance with long-term contracts. The NDU approach has proven to be quite successful and I think the panel on military education, which I chair, would tend to favor it over the rigidities that are often a characteristic of a tenure system.

Before moving to the next point let me note for the record that it is not our intent in sponsoring the provision I just discussed to alter in any way the authority of the Secretary of Defense to designate the Department of the Army as the executive agent for the Defense Language Institute.

A second set of concerns centers on the authority of the DLI commandant. Should the military commandant be prohibited from displacing a civilian faculty member with a military person? The Department of Defense rightly objects to including such a prohibition on the military commander's authority in law. There may be circumstances in which the needs of the Government could conceivably require such an action. The Department of Defense must retain the authority to determine the military and civilian mix. But as a matter of policy, it is the committee's view, and the Department agrees, that it should avoid replacing a civilian faculty member with a military instructor. The Assistant Secretary's letter also confirms this point.

Another issue concerns the commandant's relationship with local employee representatives. The hearing revealed that there is absolutely no complaint on either side about the manner in which the current commandant consults with the local union. The issue apparently stems from past experiences. On the issue it seems to me that the Department of Defense must institutionalize the pattern of consultation established by the current commandant. I know that Assistant Secretary Jehn favors a strong consultative relationship. His letter so indicates.

Finally, there is concern that DLI should be a degree-granting institution. In principle, I have no objection to granting DLI a legislative charter for this purpose. But DLI must follow the path other Federal educational institutions follow in gaining degree-granting authority. That means complying with the procedures established by the Department of Education. At the appropriate point in the process, I am sure Congress will give serious consideration to DLI's quest for degree-granting status.

In conclusion, let me assure the gentleman from California that the panel on military education will follow the implementation of the measures we have discussed with great interest. We have worked diligently for several years to improve professional military education and are proud of our record. We have worked to place schools in their proper context. Government schools do not exist for their own benefit. They exist to serve their students and the Government agencies for whom the students work. Military schools have the awesome task of nurturing the seedcorn that determines the future performance of the Armed Forces. DLI has served its students and their agencies well for decades. The panel on military education will attempt to ensure that it can continue its outstanding performance in the new security environment.

Once again, and on behalf of the committee, I commend the gentleman from

California for bringing the needs of the Defense Language Institute to our attention. I hope that my remarks and Assistant Secretary Jehn's letter, which I shall include in the RECORD at a later moment, respond adequately to the matters that have been raised.

Mr. PANETTA. I thank my good friend for his thorough assurances and for his assistance in the development of the amendment. With the Department's commitment to implementing this legislation in a manner I have envisioned from the outset, and with the commitment of the panel on military education to oversee that process, I am confident that the faculty of DLI will reap many benefits quickly from a greatly improved personnel system.

Mr. SKELTON. I include for the RECORD the letter from the Department of Defense.

ASSISTANT SECRETARY OF DEFENSE,
Washington, DC, June 1, 1992.

Hon. IKE SKELTON,
House of Representatives, Washington, DC.

DEAR MR. SKELTON: I appreciate and share your interest in the Defense Language Institute (DLI), and am pleased to have the opportunity to resolve the issues we discussed at the hearing last week.

In fashioning personnel flexibilities that will be responsive to the needs of the Institute, we will use title 10 authority to develop a DLI faculty pay plan that includes application of traditional academic ranks, and a compensation system lined to those ranks. Likewise, we will use tenure, or length of appointment, to review and reward performance. Let me further assure you that in considering the military/civilian mix of DLI positions, we will use our current rules and regulations to provide equitable treatment for employees and to the extent possible we will avoid replacing a civilian faculty member with a military instructor. Finally, the Federal Service Labor-Management Relations statute establishes national consultation and bargaining obligations. We support union-management cooperation and my staff, as well as staff at the Institute, will continue to fulfill the statutory obligations.

Thank you for your help in developing legislation that will meet the needs of the Defense Language Institute and the Department of Defense. We look forward to your continued cooperation in this important program.

Sincerely,

CHRISTOPHER JEHN.

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

Mr. SKELTON. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, I just want to state for the record, I certainly, on behalf of the Subcommittee on Investigations, concur with every statement that the gentleman has made.

I want to give assurances to the gentleman from California that he is protected under title X, and we will be working very closely with him and the gentleman from Missouri.

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

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

Mr. PANETTA. Mr. Chairman, I would like to thank both the gentleman from Missouri and the gentleman from Massachusetts for their cooperation. I look forward to implementing this new personnel system at DLI.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Chairman, I would like to engage the distinguished chairman of the Research and Development Subcommittee in a colloquy concerning funding in the bill for the Landsat Program.

It is my understanding that H.R. 5006 provides full funding of the administration's Landsat Program request for the Department of Defense, which amount to \$80 million toward procurement of a Landsat 7 spacecraft and \$6 million toward advanced technology development.

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

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

Mr. DELLUMS. Mr. Chairman, that is correct.

Mr. MCCURDY. Mr. Chairman, it is my further understanding that this funding currently is not reflected as an identifiable item with the committee's bill or in the legislative report accompanying the bill, but that the Department of Defense does not intend the Landsat Program to be classified in any fashion and thus would appreciate that funding for the program be openly reported.

Mr. DELLUMS. That is correct.

Mr. MCCURDY. I would like to request, then, that during conference on this legislation and in future authorization bills the Armed Services Committee will ensure that funding actions concerning the Landsat Program will be openly reported.

Mr. DELLUMS. That is a fair request and we will take action to honor it. We support the position of the Department of Defense and NASA that Landsat will be operated as an entirely unclassified program, and thus we have no intention of concealing funding levels for the program.

Mr. MCCURDY. I appreciate the gentleman's assistance in this regard, and am deeply appreciative of his support for this important program.

I want to make it clear, as well, that this colloquy was joined by the gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space, and Technology, who shares my concern and deep support for the Landsat Program.

Mr. DELLUMS. Mr. Chairman, if the gentleman will continue to yield, I thank the gentleman for his remarks and his observations.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Mr. Chairman, I would like to engage in a colloquy. Let me give my colleagues a little background on some problems that we have with some contractors.

I hope we can work this out. Historically, the U.S. Government negotiated country-to-country agreements with those nations where the United States stationed troops and operated military facilities. These negotiated agreements included provisions where the U.S. Government would pay severance payments to foreign nationals employed by the United States at these bases, in the event the bases were closed.

For whatever reason, these payment agreements put the U.S. liability into the billions of dollars. A couple of years ago the Congress passed a law that said that the U.S. Government would no longer pay any foreign severance pay in cases where the host nation asked the United States to leave. Congress also said that if the United States closed the facility, it would only pay benefits comparable to those paid U.S. citizens/employees at closing facilities.

The problem is at the Department of State. There were some agreements, and they are bankrupting some of the American companies. I hope that when we go to conference that something can be worked out.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Mr. Chairman, just to confirm what the gentleman from Texas said, we were going to try to get this included in the en bloc amendments. We could not.

We simply asked our colleagues to fulfill our commitment, both the gentleman and the minority chairman, the minority ranking member to include consultation language in there that will require the President to include this.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Ohio [Mr. PEASE].

Mr. PEASE. Mr. Chairman, I will vote against this defense authorization bill. In coming to that decision, I was significantly influenced by the following list of new or additional weapons this bill authorizes. Mr. Speaker, one has to wonder whether the Pentagon and the Armed Services Committee have yet realized that the cold war is over, that there is now only a former Soviet Union.

Defense authorization for fiscal year 1993

	<i>Quantity to be purchased</i>
<i>Weapons and weapons systems:</i>	
(1) B-2 (bomber aircraft)	4
(2) DDG-51G (ship)	4
(3) C-17 (aircraft carrier)	6
(4) F/A-18C/D (fighter aircraft)	48
(5) Trident II D-5 missile	21
(6) AMRAAM Air-to-air missile	1,155
(7) F-16 Falcon (fighter aircraft)	24
(8) E-8A JSTARS (surveillance system)	1
(9) EA-6B Prowler (aircraft)	3

	<i>Quantity to be purchased</i>
(10) CH/NH-53 Super Stallion (helicopter)	16
(11) Tomahawk cruise missile ...	200
(12) UH-60L Blackhawk (helicopter)	60
(13) T-45TS Goshawk (trainer aircraft)	12
(14) KC-135 (aircraft)	14
(15) V-22 Osprey (attack helicopter)	3
(16) MCH-1 Minehunters	2
(17) AHIP Scout helicopters	36
(18) Cobra Antitank helicopters	12
(19) Laser-guided Hellfires (missiles)	>3,000
(20) Short-range TOWs (missiles)	>10,000
(21) 20-mile-range rockets	30,000
(22) Launchers	115
(23) ATACMS bombardment missiles	340
(24) Mark 48 homing torpedoes	108
(25) Mark 50 torpedoes	212
(26) Space Satellite Programs (Navstar, Milstar, and Defense Support Program)	3
(27) AX Carrier-based bomber ...	1
(28) HARM missiles	846

Mr. ASPIN. Mr. Chairman, we are now about to go into a motion to recommit and final passage of this bill, but I would be remiss if we did not at least mention here today something that we will celebrate at greater length when we bring this bill back from conference and have a little more time, not on a Friday.

I should point out that this is the last authorization bill for a number of very distinguished an important members of the House Committee on Armed Services. I would just like to list them:

It is the gentleman from Alabama [Mr. DICKINSON], the gentleman from Kentucky [Mr. HOPKINS], the gentleman from Michigan, Mr. BOB DAVIS, the gentleman from Maryland, Mrs. BEVERLY BYRON, the gentleman from Michigan, Mr. DENNIS HERTEL, the gentleman from California, Mrs. BOXER, and the gentleman from Florida, Mr. IRELAND.

All of these are members that we have come to know and love and to appreciate, and we will miss them all very, very much.

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

The CHAIRMAN pro tempore (Mr. COX of Illinois). Are there any further amendments to the bill?

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.

Mr. GEPHARDT. Mr. Chairman, I'd like to congratulate Chairman ASPIN and his Committee on passage of the fiscal year 1993 Defense Authorization Act.

In particular, I commend the committee's strong support of the F/A-18 C/D Hornet aircraft. The newly authorized 48 C/D's will sustain the robust nature of our current naval air fleet.

In our increasingly constrained budget environment, the proven multirole capability of the F/A-18 will be even more essential as we cut back on foreign deployments. Desert Storm showcased the F/A-18s unique agility in executing close air support, bombing, interdiction, and fleet defense missions.

In my judgment, the F/A-18 will continue to be the centerpiece of naval aviation for years to come. However, in order to keep pace with the rapid advancements in military technology as well as the fluidity of the international threat environment, we need to get on with the development process of the new model—the F/A-18 E/F.

I strongly endorse the Pentagon's plan to immediately proceed with full scale development of the F/A-18 and regret the committee's desire to instead develop a prototype for further testing. In my judgment, the F/A-18 has proven itself over and over again. The E/F is merely an upgrade of a known commodity. It makes more sense to save taxpayers' money and protect the integrity of naval aviation by going forward now, not later.

An improved version of the F/A-18 will enhance our security posture well into the next century. Larger wings, increased range, and higher thrust engines will matter more and more as the number of volatile nations with access to sophisticated weapons technology grows in the years to come.

The F/A-18 is quite simply the best aircraft to meet the naval air needs of the coming decade and beyond.

I look forward to working with the committee as it continues to review Pentagon plans for the future of naval aviation.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 5006 and encourage my colleagues to vote for this landmark legislation. H.R. 5006 is the first defense budget we have worked on since the break up of the Soviet Union. It is based on a threat-driven analysis of the post-cold war, post-Soviet Union world. As a result of this analysis total spending in the bill is \$7 billion below the President's request—a savings that will go toward deficit reduction.

The members and staff of the Armed Services Committee have spent the last year analyzing events of the Persian Gulf war, changes in the world, and budgetary pressures here at home. The result of this in-depth review is a newly structured defense budget that is based on the new threats that face our country as well as our allies.

H.R. 5006 begins the process of changing our defense spending priorities to reflect the new world order that the President says he is looking for, but has thus far failed to recognize.

Mr. Chairman, I want to take a moment to highlight certain features of H.R. 5006 which I think are critical to reorganizing our defense budgets consistent with recent changes throughout the world.

NUCLEAR WEAPONS TESTING

At the same time the United States condemns the Chinese Government for its nuclear weapons test on May 20, we are continuing our own, aggressive nuclear weapons testing program. In fact, the United States is the unquestionable leader in nuclear weapons testing.

Six a year compared to one in the last 2 years for China. Both Russia and France, on the other hand, have stopped testing altogether for now.

Unfortunately, Mr. Chairman, it's the same old story from this President and this administration: "Listen to what I say, not what I do." Whatever happened to the President's "new world order?" How can the administration legitimately condemn China's recent test when the United States continues to be the undisputed leader in this area?

We cannot continue our senseless and blind indifference to the world around us. Our own testing program only serves to encourage other countries, like China, to continue their nuclear weapons development and testing program. And, if we continue our testing, then Russia is likely to restart its program.

To address this issue, the House bill would institute a 1-year moratorium on weapons testing. During this time, legitimate questions about the safety of our nuclear weapons arsenal can be explored. But, this moratorium will also signal to the rest of the world that we are prepared to live up to the standards we have set for other countries. It will signal that we are serious about stopping nuclear weapons proliferation, beginning with our own country. This bill will help support Russian and French efforts to limit testing. It will help reignite United States-British-Russian negotiations for a comprehensive nuclear test ban. And, finally, it will help with renewal of the Nuclear Non-Proliferation Treaty, scheduled for 1995.

STRATEGIC DEFENSE INITIATIVE

Once again, the House bill assumes a realistic approach to strategic and tactical missile defense. Year after year, we have to enjoin the administration in a battle over SDI. Unfortunately, the administration continues to hold onto a dream of an elaborate space-based interceptor system that neither technology nor the defense budget can support.

DOD's own, top program analyst recently stated that the administration's planned 1997 deployment of a ground-based interceptor would be premature and face costly and crippling problems. His recommendation was to delay planned deployment by 6 years, until 2003, to gain better knowledge and evaluation of the technology needed to support the deployment. Likewise, earlier this year, CIA Director Robert Gates stated in testimony before Congress that new long-range missile threats to the United States are not anticipated to appear for a minimum of 10 years—until 2003 at the earliest. Yet, President Bush and his administration continue to hold a blind and senseless devotion to deploying an unproven, untested, and currently unfeasible system.

The House bill takes important steps to reverse the course of the SDI Program. First, we reduced the budget request by \$1.1 billion to a total of \$4.3 billion. We completely abolish the Brilliant Pebbles Program. We eliminate the 1997 deployment target date for ground-based defense. We make ABM Treaty compliance an explicit goal of the United States and require all missile defense work to follow the traditional interpretation of the ABM Treaty. Finally, \$1.1 billion of the SDI funding is to be used explicitly for development of theater-based missile defenses including the Patriot missile, and similar technologies.

INCREASED BURDEN SHARING

H.R. 5006 requires our allies to share equitably in the costs of maintaining U.S. troops and equipment overseas the costs of providing for the defense of that foreign nation. First we require our NATO allies and Korea to increase the amount they pay for overseas basin costs of United States military forces. Second, we propose to reduce the number of troops stationed in Europe from 235,000 to 100,000 by 1995. Finally, we provide for 40 percent reduction in the total number of troops stationed overseas.

This legislation will begin the process of requiring our allies to shoulder a far greater share of the burden of maintaining their own defense.

ENERGY CONSERVATION

H.R. 5006 authorizes \$60 million in funding for energy conservation programs, which includes \$10 million specifically for the Department to participate in the development of renewable energy systems and renewable hybrid energy systems. The energy conservation funding is important to help DOD become a responsible partner with communities throughout the country in conserving energy and complying with clean air standards. These programs have proven to save money for DOD and are a very worthwhile investment of defense dollars.

MILITARY CONSTRUCTION

Mr. Chairman, H.R. 5006 also authorizes several military construction projects that are vital to the ongoing missions of several of our military bases in northern California.

For Beale Air Force Base, the bill funds a new fire training facility. The new facility is needed to train firefighters in handling mass fuel spills and three dimensional—running fuel—fires, and is needed to comply with Federal and State environmental standards. Additionally, the bill authorizes construction of a new security police operations center. The new facility will add nearly 15,000 square feet of space for all security operations, law enforcement, resource and personnel protection, and base security functions. Finally, Beale is also authorized to undertake utility improvements and a new fire safety system in the base hospital. This project will increase patient safety and improve efficiency of the hospital's operations.

At McClellan Air Force Base, H.R. 5006 includes two environmental projects. The first project would fund the upgrade or replacement of underground storage tanks to meet Federal and State regulatory requirements. The second project consists of improvements to the base's wastewater collection system.

One additional project for McClellan involves the construction of a modern, state-of-the-industry plating shop. This project will ensure compliance with Federal, State, and local environmental laws, eliminate the risk of line or shop closure by the California Environmental Protection Agency, reduce plating process solution wastes, improve safety and improve operations efficiency.

Finally, H.R. 5006 funds several projects needed to provide facilities for new activities that are scheduled to move to McClellan as a result of base closures.

Mr. Chairman, Travis AFB continues to play a pivotal role in supporting the airlift require-

ments of the Defense Department. As the major west coast airlift port, it is important for Travis to maintain facilities capable of supporting the high volume of personnel traveling through the base. With this in mind, the committee has authorized two projects for Travis. The first project is an upgrade in the sanitary sewer mains. The second project funds the final phase of a six-phase dormitory renovation project that has been ongoing over the last several years. The project is needed to renovate the existing facilities which have inadequate lighting, no air conditioning, and generally poor living conditions. This project has important implications for the quality of life and morale of our troops.

Finally, Mr. Chairman, the fiscal year 1993 Defense authorization bill provides funding for a new hazardous waste storage facility at Mare Island Naval Shipyard. This project is very important for the shipyard's ability to meet stringent environmental requirements and would replace the existing, 50-year-old warehouse used for these purposes.

These projects reinforce the important role that each of these military bases plays in our Nation's defense. We, in northern California, continue to be very supportive of our local bases and our local military personnel. We plan to continue our efforts to modernize and improve facilities on the bases to ensure efficient operations as well as a good quality-of-life for our service men and women.

DEFENSE REINVESTMENT AND CONVERSION

Mr. Chairman, I think we all realize that defense reductions are here and are real. Military and civilian personnel, communities and the defense industry are all being affected. H.R. 5006 attempts to deal intelligently with how we soften the blow and make the transition to a civilian-based economy as smooth as possible.

This bill provides assistance to defense and aerospace firms to help them use their defense technologies and manufacturing processes to develop new products and technologies for commercial markets. H.R. 5006 also provides communities impacted by defense cuts with planning and technical assistance to help them reuse closing bases and promote new industry development. And, perhaps most importantly, the legislation provides a cushion for the military personnel, civil service employees, and defense industry workers who stand to lose their jobs because of defense budget cuts.

The \$1 billion investment we propose to make under this defense reinvestment provisions of the bill is the only way we can help defense-dependent businesses, workers and communities make a successful transition to a civilian-based economy. It is an effort to address the new problems and new opportunities we face that have come about because of the end of the cold war and the dissolution of the former Soviet Union.

CONCLUSION

In conclusion, Mr. Chairman, I want to commend Chairman ASPIN, the committee members, and the committee staff for the long hours and hard work they put into this legislation. It is reflective of what our country needs to maintain a strong national defense at a price that we can afford. I strongly urge my colleagues to support this bill.

Mr. WEISS. Mr. Chairman, I rise in opposition to H.R. 5006, the fiscal year 1993 Defense authorization bill.

The cold war is over. Yet we still have a cold war defense budget. The \$274 billion authorized by this bill for the Department of Defense and the defense programs of the Department of Energy. The legislation spends nearly up to the caps imposed under the budget agreement and represents a mere 2-percent reduction from the President's request.

At a time when our foe of the past 45 years no longer exists, it makes no sense to pass a defense budget that is on par with budgets we passed at the height of the cold war. The major threats that face the country now are not columns of Soviet tanks in Europe, they are urban decay, a crumbling infrastructure, and a failing educational system right here in the United States. It is time that we start funding our military at a level that accurately reflects our security risks abroad, and our human needs at home.

This legislation includes funding for cold war programs that have outlived their need, if in fact they ever existed. The B-2 program, which the Congress voted to terminate at 15 planes in both 1990 and 1991, is revived in this bill. Despite questions about whether the B-2 will ever be capable of functioning as it was originally intended, and even what its mission is to be, this bill includes \$4 billion to continue research and to procure an additional 4 planes, bringing the program total up to 20 planes. Surely, the Congress can find a better use for \$4 billion than purchasing new B-2 bombers.

I must also express my concern over the level of funding for SDI. Again, I must point out that our cold war adversary no longer exists. Furthermore, the successor states to the Soviet Union have expressed a willingness to further reduce nuclear arsenals. In spite of this, SDI is funded at its highest level ever, \$4.3 billion for fiscal year 1993. This is a program about which there continue to exist a great many questions regarding its technical feasibility. If these problems are ever resolved, and a determination to deploy it is made, it will then cost the Nation billions upon billions of dollars that we simply cannot afford.

This bill does include, however, some provisions that indicate there may be a growing awareness of these new global and domestic realities.

The bill does include one billion dollars to help ease the transition for defense workers and departing military personnel affected by reductions to the defense budget. There is a great deal more that we could, and must, do to prepare the U.S. economy for a conversion from excessive reliance on military spending to civilian production. For too long, this country has channeled valuable and limited resources into the development of our military at the expense of other urgent needs. Neglect to our physical and economic infrastructure has brought deterioration to the Nation's economy. We are now presented with a unique opportunity; the resources that have gone into developing our mighty military can now be channeled into rebuilding our country and reinvigorating our economy.

This amendment, approved by the Congress, is an important first step in dealing with

the opportunities and risks presented to us by the defense downsizing.

Unfortunately, this bill does not include enough of this clear headed thinking. The defense budget must be based on real national security needs not on abstract budget calculations. When we determine the appropriate level of defense spending, it should be related not to what last year's budget was and how much we can cut from that, but how much we need to spend in order to provide an adequate level of security for the Nation. This budget does not do that. Sadly, this is still a cold war budget in a post-cold war world. I therefore must oppose this authorization bill.

Mr. PENNY. Mr. Chairman, I rise today to bring to your attention my efforts to realize savings from one of the last cold war, Pentagon weapon systems still in the defense budget—the Trident II [D-5] missile. The original purpose of the D-5 missile was to give the Navy a hard target kill system which could destroy hard targets such as ICBM silos and underground command bunkers in the Soviet Union. With the end of the cold war and the dissolution of the Soviet Union and the Warsaw Pact, the United States simply can't continue with business as usual in regards to the D-5 missile. With the burgeoning national debt, the United States simply can't afford to continue with business as usual.

In February of this year, I introduced legislation calling for the termination of the D-5 missile. I proposed this legislation for a number of important reasons:

First, even if the United States discontinues production of the D-5 missile after fiscal year 1994, the United States will still retain a huge technological advantage over the new Commonwealth of Independent States [CIS] in its SLBM force. Even before the breakup, the Soviet Union was never able to develop a SLBM with the hard target kill capability of the D-5 missile;

Second, the much touted hard target kill capability of the D-5 was dependent on production of the high yield W-88 warhead which has recently been canceled by the Bush administration; and

Third, a GAO report—November 1988—estimated that the total lifetime cost of the Trident II [D-5] missile system would be \$99.3 billion. Savings from canceling the system after fiscal year 1994 would total between \$5 and \$10 billion by fiscal year 1999.

After an analysis of the D-5 missile, I have determined that without a minimum number of D-5 missiles, the Navy would be required to reconfigure the last six Trident submarines from D-5 capability to C-4 capability. This reconfiguration would cost about \$1 billion per submarine or a total of \$6 billion—wiping out most of the potential savings from terminating production of the D-5 missile.

After fiscal year 1994, the Navy will have 350 D-5 missiles in its arsenal, less the missiles already used for tests and evaluations. With 350 D-5 missiles, the Navy could deploy 14 D-5 missiles, reduced from 24, on 10 Trident II submarines—requiring 140 of the 350 D-5 missiles available under my proposal. With the end of the cold war, it is not unreasonable to reduce the number of missiles carried by Trident submarines from 24 to 14.

My proposal would also cancel the planned retrofit of the first eight Trident I submarines,

currently carrying the C-4 missile, to carry the D-5 missile. The Navy would then have a fleet of 8 Trident I [C-4] submarines and 10 Trident II [D-5] submarines. In addition, this proposal would reduce the number of planned tests of the D-5 missile. The Navy would have a total of 210 missiles available for tests and evaluations, certification, and recertification for the fleet of 10 Trident II submarines. The Navy proposed 467 such missiles for its planned fleet of 18 Trident II submarines.

I estimate that savings from my proposal would be between \$5 and \$10 billion between fiscal year 1995 and fiscal year 1999. These savings include \$15 billion in procurement costs and \$2 billion from the canceled D-5 retrofit program. Total savings would be offset by the cost of extending the life of the C-4 missile beyond the year 2009. However, greater savings would be achieved if the C-4 is not needed after the year 2009. The House Armed Services Committee has requested—on my behalf—the CBO to prepare a report on the budgetary implications of terminating production of the D-5 missile. I will share their conclusions with Members of Congress when the report is released. Next year, I plan to offer an amendment to the fiscal year 1994 defense authorization bill on the floor of the House which will terminate production of the D-5 missile after fiscal year 1994 and will eliminate funding for advanced procurement in next year's bill.

Mr. CONYERS. Mr. Chairman, for years, the idea of antiballistic missile defense has been debated more rigorously than the reality of the existing SDI Program. The Associated Press last week concluded that "Congress has shown little interest in where the SDI money has gone until recently."

Today, we can change this. I urge my colleagues to vote yes to cut the \$4.3 billion for SDI in the Defense authorization bill.

There is overwhelming evidence to support reducing the star wars budget. The Government Operations Subcommittee on Legislation and National Security has conducted a year-long investigation into how the administration squandered the \$29 billion Congress appropriated for this program.

Our hearings, reports, and reviews have revealed what many have long contended: The star wars program has produced a mountain of profits and perks, but little real progress.

SDI has pulled a reverse Rumpelstiltskin—it has spun gold into straw.

Here are a few examples we have uncovered—from billions blown to beach vacations:

First, the General Accounting Office testified that "SDIO's unstable architecture has caused confusion, forced costly redesigns, and increased the risk." (GAO testimony before the Legislation and National Security Subcommittee, May 16, 1991.)

Second, the GAO also told us that much of the billions spent to develop the Pentagon's space-based Antimissile Defense Program may have been wasted because of overly optimistic budget requests, poor planning and pressure to field unproven technology. (GAO testimony, May 16, 1991.)

Third, we found that money was poured into exotic weapons projects that were later abandoned, for example: \$1 billion for the free electron laser; \$1 billion for the boost surveil-

lance and tracking satellite; \$720 million for the space-based chemical laser; \$700 million for the neutral particle beam; and \$366 million for the airborne optical aircraft.

The GAO concluded that "Optimistic planning resulted in starting projects and making significant investments, which then became unaffordable." (GAO testimony, May 16, 1991.)

Fourth, subcommittee investigators found many examples of waste. In one case, 3,000 reports worth millions of dollars were simply thrown out by the contractor in charge of storing them for the SDI Program. The reports, some only a year old, were destroyed to make room to warehouse new reports. (Subcommittee investigations, 1992.)

Fifth, it is clear that private contractors dominate the program, even writing SDIO's "Report To Congress." The 1991 Report to Congress was written by a private contractor for a fee of \$264,000. Many of the paragraphs were lifted almost verbatim from the 1990 report, written by the same contractor for a similar amount. Subcommittee investigation, 1992.

Sixth, contractors are so dominant in this program that the first person you meet when visiting the SDIO offices in the Pentagon is a contractor. The security guards are a private firm SDIO hires rather than use Department of Defense personnel. Subcommittee investigations, 1992.

Seventh, SDIO officials cannot talk with other DOD officials without hiring contractors. SDIO paid a contractor \$1 million to help it prepare for one meeting in 1991 of the Defense Acquisition Board. The contractor also took the official minutes of the meeting. Subcommittee investigation, 1992.

Eighth, not only have we wasted billions of dollars, but the GAO warns us that the SDI program is doomed to waste billions more unless we stop them. GAO reported to us that:

For the past year, SDIO has been pressing forward with a \$46 billion system—GPALS. * * * However, the GPALS architecture has not been solidified * * * Designing, developing, and deploying a system with these uncertainties increases the risk that the system will not provide the level of protection SDIO currently promises * * * schedule delays, escalating costs, and performance problems could occur. GAO Report to Subcommittee, March 1992.

Ninth, is there any need for this rush? Scientific opinion is nearly unanimous that there is no need to rush. As one scientist told our subcommittee:

The prospects that an antimissile shield might be needed in this century are so remote that there is no reason, other than political expediency, for proceeding soon with deployment of such a system. Testimony to Subcommittee, John Pike, Federation of American Scientists, October 1, 1991.

Tenth, whistleblowers have come forward at great cost to their own careers to tell us the truth about star wars. SDI scientist Aldric Saucier said: "Star Wars has been a high-risk, space age, national security pork barrel for contractors and top Government managers." Affidavit of SDI scientist Aldric Saucier, provided to Subcommittee, January 1992.

Eleventh, finally, the top officials of this program have been enjoying a wide variety of perks. Last year alone the SDI program spent

over \$6 million on official travel. I have asked the Inspector General to investigate many of these questionable trips. Subcommittee Investigation, May 1992.

For example: The speech writer for the SDIO director flew to Hawaii on official business, yet certified travel vouchers show he worked only 2½ days during his 2-week stay in November 1990.

The Special Assistant to the SDIO Director worked only 3 days during his 2-week stay in Maui in December 1990, according to his vouchers.

They are some of the senior SDIO officials who worked less than half the time they spent in Hawaii during fiscal year 1991.

It is time to restore some reality to this program. We have much more pressing needs for the taxpayers' dollars than this ill-conceived, mismanaged example of how not to run a program.

I urge my colleagues to vote "yes."

Mr. OWENS of Utah. Mr. Chairman, I rise in opposition to final passage of the fiscal year 1993 DOD Authorization Act. I do so reluctantly and with a deep sense of disappointment in both the final version of the legislation before us and the conduct of the bill on the floor.

There is a new threat to our National security, but we are still fighting the old threat. Today, one of the greatest threats facing this country is the huge budget deficit. This country is facing a \$400 billion deficit, yet the defense bill about to be voted on authorizes \$274 billion, including long lead funding for a new \$4.5 billion nuclear aircraft carrier, additional B-2 bombers at \$2.7 billion, \$2 billion for the F-22, \$4.3 billion for SDI, and an additional \$2.4 billion for the \$40 billion C-17 airlifter.

That said, there are several provisions of the bill that I strongly support. The nuclear test ban provision adopted on the House floor is a major step to halting the spread of nuclear weapons and reining in the U.S. nuclear weapons program. In addition, the continuation of the Missile Defense Act, which includes the ground-based interceptor, is important to developing a limited antimissile defense of the United States. Also, the House adopted my amendment to require the intelligence agencies to validate biowarfare threats before developing countermeasures against biological agents.

On the whole, though, this bill is a cold war relic. I am disappointed that the committee chose to disregard the different threat facing the United States and, instead, adopted a "business as usual" bill.

Amendments to trim the bill, and terminate costly and unneeded weapons systems were not made in order by the rules committee. Specifically, three of my amendments were not allowed.

I intended to offer an amendment to cut long lead funds for yet another nuclear aircraft carrier. This is a program that can be put off, and a threat assessment conducted, before obligating the first \$832 million of a \$4.5 billion program.

Another amendment I sought to offer would have cut 5 percent from the bill. While a 10 percent cutting amendment was allowed and ultimately defeated, I felt that this cut was too

severe. Instead, the 5 percent cut I proposed would have cut \$13.7 billion from the bill and force the Pentagon to prioritize its needs without harming national security.

The third amendment blocked by the Rules Committee was to cut \$1 billion from the F-22 program. While I agree that ultimately the F-22 may be needed, clearly it is a program that can be slowed down considerably and reassessed.

But what is more disturbing is that on several amendments, most notably the Durbin amendment to cut SDI and the Andrews amendment to halt procurement of the B-2 at 15 planes, a majority of Democrats voted aye but a majority of the Democrats on the armed services committee voted nay.

I am troubled with the perception that the majority faction of committee is out of step with their colleagues on several of the key issues facing our National Security Policy.

I can fully understand why the President wants to continue to overspend on the Pentagon. The administration's complete lack of vision and innovation is reflected in the most recent polls and the demise of the President's job approval rating. The all-too-typical reaction from the executive branch is a sad testament to its cold warrior mindset that is petrified at the thought of a world safe from a superpower rivalry.

But I cannot understand the Armed Services Committee's similar addiction to indulging the Pentagon. Why did the committee renege on last year's agreement to halt the B-2 at 15 planes? It is the most expensive plane in history and it doesn't even work. Why did the committee vote to support increasing SDI funding above last year's level? What new threat has emerged?

At \$274 billion, this bill spends too much. In the bill, weapons programs are still justified on pork barrel grounds, not by whether they contribute to national security. And if the poor economic situation and high unemployment is the excuse, we would do better for our soldiers and defense workers by retraining them and helping them adjust than by socializing their industry.

When will defense spending reflect the true national security needs of this country, as opposed to simply continuing to bankroll the Pentagon, as this bill does? I urge my colleagues to oppose this legislation and direct the Armed Services Committee to write a bill that protects America from the real threats we face today and in the future.

Ms. PELOSI. Mr. Chairman, I rise today in support of the Ray amendment included in the Committee on Armed Service's en bloc amendments. This amendment would establish a model base cleanup program at 15 active military bases and 4 closed military bases. Problems encountered during the cleanup of the environmental contamination at bases across the country have demonstrated the ineffectiveness of the Department of Defense's current cleanup efforts and the importance of making these bases available for alternative uses.

The lack of communication between the Department of Defense, the Environmental Protection Agency and State agencies has created a log jam of redtape and delay. There have also been problems in DOD's ability to

solicit and hire contractors in a timely manner to conduct the environmental remediation necessary to turn over these bases in good working condition to the public.

The Ray provision establishes a comprehensive model program to speed up the contracting process and to improve the cooperation among Government agencies. By focusing its attention on 18 model sites, the Department of Defense can implement innovative methods for expediting the clean up process and create a blueprint for the hundreds of other military sites that require environmental remediation.

It is important for the model program to utilize environmental restoration activities that exemplify timely and effective investigation, assessment, and clean up strategies as well as use new and experimental cleanup techniques and technologies for use in demonstration and education programs.

The problems found in the current environmental restoration program have been apparent at the Presidio Army Base, in my district of San Francisco which, under preexisting law, is to be transferred to management by the National Park Service. Despite the Army's goal to have over 80 percent of the base cleaned up by the end of this year, less than 40 percent of the remediation will be completed on schedule.

Selection of the Presidio Army Base under this model program would be of great value for this particular site because of the high public use as a national park that is intended for its over 1,400 acres. Inclusion of the Presidio in this program would also serve as a useful blueprint for other bases being converted to extended public use.

The Presidio is scheduled to be conveyed to the Golden Gate National Recreation Area [GGNRA] by 1995. GGNRA is the most visited park in the national system, with over 17 million visitors each year. For more than two centuries, the Presidio of San Francisco has stood as a sentry at the Golden Gate, rich in military history and unique in its ecology and natural features. The Presidio will be a national park unlike any other in the world.

Conversion of the Presidio presents us with an opportunity to make the Presidio an internationally visible model of environmental sustainability and innovative technology. A range of energy, water and waste demonstration projects could feature state-of-the-art technology and expertise for larger models around the world. The Presidio is an ideal setting for displaying the latest in environmental restoration technology. The National Park Service has expressed its willingness to work with other Federal agencies on demonstration and educational programs at the Presidio. Corporate partners, too, might be interested in demonstrating their newest developments in energy-saving and pollution-prevention technology at the Presidio site.

The implementation of innovative and environmentally sensitive technologies at the Presidio will:

- Save energy, water and other scarce natural resources;
- Improve live-cycle-cost-effectiveness of systems;
- Provide general environmental benefits and reduce environmental costs on the post;

Present techniques for broader application at other sites, and

Showcase the partnership between the Departments of Defense and Interior to make the Presidio a national model of an effective economic conversion

It is fitting that this Army garrison, one of the oldest in the United States, will be transformed to a monument to peace, environmental preservation, and recreation. Through a partnership of public and private sectors, we can work together to preserve the Presidio, fulfill its highest potential for public use and enjoyment, and create a model of environmental cooperation in the century ahead.

Mr. DORGAN of North Dakota. Mr. Chairman, just as we were about to begin consideration of the Defense authorization bill for fiscal 1993, I learned that the Air Force was considering the closure of the Cavalier Air Station in North Dakota.

Since this installation has played a key role in our national defense and space surveillance, I was deeply concerned about the rumored closure. Cavalier AFS has a very powerful radar and some unique capabilities to track objects in space.

In order to get to the bottom of this, I joined with my colleague, U.S. Senator KENT CONRAD of North Dakota, in a letter to the Secretary of the Air Force requesting answers to a series of questions about Pentagon plans for Cavalier AFS. We subsequently learned that the Air Force was indeed planning to terminate its operations at Cavalier by the end of the fiscal year. We also heard from employees directly affected by the action who reported that they were not being kept fully informed about Air Force plans and that an immediate cessation of operations was possible.

The Air Force has since provided assurances that it will not take premature action to shut down this important radar facility. It will consult with the Army, NASA, and the Strategic Defense Initiative Organization about our future missile defense and space surveillance needs before deactivating the radar system. It has also pledged to provide complete information to employees about their current status and future opportunities.

As we begin to scale back our national defense, it is important that we do so in an orderly and prudent fashion. We must treat both civilian and military employees with respect and fairness. And we must not prematurely close down bases or facilities in the United States which could still play a vital role, albeit with new or modified missions, in our Nation's defense and space programs. Base closing decisions which should be made only after timely input from all affected parties, including local communities and Federal agencies or employees.

I bring this to the attention of my colleagues during the debate on the defense bill so that they may be aware of Air Force actions relating to Cavalier Air Force Station.

Mr. PENNY. Mr. Chairman, I would like to thank Chairman Les Aspin and the Armed Services Committee for once again including in the Defense authorization bill language which separates the Tactical/Theater Missile Defense [TMD] program from the Strategic Defense Initiative program.

Last year, I introduced legislation (H.R. 1446) which restructured the SDI program by

providing for separate management and funding of TMD programs. This was done in response to the acquisition by SDIO of TMD programs after the Persian Gulf war. In addition, proponents of a large SDI program used the apparent success of the Patriot missile during the Persian Gulf war to promote their vision of ballistic defense. The truth is that the Patriot missile, a theater missile, was built and managed by the Army—not SDIO. In fact, the SDIO devoted only 5 percent of over \$25 billion in funding between 1984 and 1990 on tactical/theater missile defense. Clearly, the two programs—strategic missile defense and tactical missile defense—have separate missions and should be managed and funded separately.

Mr. LAFALCE. Mr. Chairman, I wish to commend the Armed Services Committee for including an expansion of the Small Business Innovation Research [SBIR] Program in its reinvestment package. The Armed Services Committee is acting on the same belief that motivated me and other members of the Small Business Committee to initiate the SBIR program 10 years ago—the belief that small businesses are the most innovative and dynamic sector of the U.S. economy.

Evidence supporting this view is overwhelming. Over the past 15 years, job growth in small companies has outpaced job growth in large companies by 37 percent. Furthermore, recent studies show that small companies contribute roughly 2.5 times more innovations per employee than large companies.

The SBIR Program has been a remarkably effective way of tapping into this dynamic national resource. Under SBIR, each Federal agency with an extramural R&D budget in excess of \$100 million per year earmarks 1.25 percent of that budget for small companies. Studies by the General Accounting Office and the Small Business Administration show that the program has given a major impetus to the technological innovation that fuels economic growth, while at the same time meeting the Federal Government's R&D needs. All 11 agencies which participate in the program report that it has had a favorable impact on their research programs. Furthermore, a recent National Academy of Sciences report finds that the program has significant merit, and calls for an expansion.

I do not believe that the Armed Services Committee could have chosen a better vehicle for reinvestment than SBIR. As the Under Secretary of Defense has said with respect to the Defense Department's SBIR program:

The SBIR program has provided a pool of small businesses willing to investigate new high risk and innovative ideas needed to expedite the accomplishment of DOD goals and objectives. * * * The DOD wholeheartedly supports the Congressional goals of the SBIR Program and is pleased to report its positive effect on all R&D programs.

Moreover, the McCurdy panel on the Defense industrial base calls for a doubling of the size of DOD's SBIR program as a way of increasing commercial spinoff from Defense Research and Development.

The provisions of the reinvestment package concerning SBIR would apply only to DOD's SBIR program. But they are in accord with the changes made for all agencies by the SBIR

reauthorization bill (H.R. 4400) recently reported by the Small Business Committee. Specifically, both bills reauthorize the SBIR Program until the year 2000, significantly expand the size of the program, and increase the program's emphasis on commercialization of SBIR research.

Mr. Chairman, I strongly endorse the action that the Armed Services Committee has taken with respect to DOD's SBIR program. It is consistent with—and, indeed, strengthens—efforts by the Small Business Committee to reauthorize and expand the SBIR Program across the Government. It is good for the country.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HOYER) having assumed the chair, Mr. COX of Illinois, Chairman pro tempore 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. 5006) to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes, pursuant to House Resolution 474, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. SOLOMON. Mr. Speaker, I demand a separate vote on amendment No. 2 that was adopted by the Committee dealing with burden sharing, the so-called Frank amendment.

□ 1300

The SPEAKER pro tempore (Mr. HOYER). Is a separate vote demanded on any other amendment?

If not, the Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of title X (page 202, after line 23), insert the following new section:

SEC. . REDUCTIONS FOR ACCELERATED WITHDRAWAL OF UNITED STATES FORCES FROM EUROPE, JAPAN, AND KOREA OR INCREASED HOST-NATION SUPPORT.

(a) OVERALL AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated by this Act for fiscal year 1993 is the sum of the separate authorizations contained in this Act for that fiscal year reduced by \$3,500,000.

(b) TROOPS IN EUROPE, JAPAN, AND KOREA.—Reductions in amounts authorized to be appropriated to the Department of Defense to achieve the overall reduction required by subsection (a) may only be made from funds for programs, projects, and activities for the support of United States forces assigned to or stationed in Europe, Japan, or Korea. The

effect on those programs, projects, and activities of such reductions in amounts authorized to be appropriated may be accounted for through either or a combination of the following:

(1) Increases in the level of host-nation support.

(2) Accelerated withdrawal of United States forces or equipment assigned to or stationed in Europe, Japan, or Korea.

Mr. SOLOMON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appear to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 202, noes 164, not voting 68, as follows:

[Roll No. 171]

AYES—202

Abercrombie	Ford (MI)	Mineta
Allard	Ford (TN)	Moakley
Andrews (ME)	Frank (MA)	Mollohan
Annunzio	Frost	Moody
Applegate	Gedjenson	Mrazek
Atkins	Gephardt	Murphy
AuCoin	Gilchrest	Myers
Bacchus	Glickman	Nagle
Ballenger	Gonzalez	Natcher
Bennett	Gordon	Neal (MA)
Berman	Goss	Neal (NC)
Blackwell	Grandy	Nowak
Bonior	Guarini	Nussle
Borski	Gunderson	Oakar
Boucher	Hall (OH)	Oberstar
Boxer	Hayes (IL)	Obey
Brewster	Henry	Oliver
Bruce	Hobson	Orton
Bryant	Hochbrueckner	Owens (NY)
Camp	Horn	Owens (UT)
Cardin	Hughes	Pallone
Carper	Jacobs	Panetta
Carr	James	Pastor
Chapman	Jefferson	Payne (NJ)
Clay	Jenkins	Penny
Clement	Johnson (SD)	Perkins
Coble	Johnston	Peterson (FL)
Collins (MI)	Jontz	Peterson (MN)
Condit	Kanjorski	Poshard
Conyers	Kaptur	Price
Costello	Kennedy	Rahall
Cox (IL)	Kennelly	Ramstad
Coyne	Kildee	Rangel
DeFazio	Klug	Reed
DeLauro	Kopetski	Regula
Dellums	Kostmayer	Richardson
Derrick	LaFalce	Ridge
Dixon	Lantos	Ritter
Donnelly	LaRocco	Roemer
Dooley	Leach	Rohrabacher
Dorgan (ND)	Levin (MI)	Rose
Downey	Lipinski	Roukema
Duncan	Lowe (NY)	Roybal
Durbin	Manton	Sabo
Early	Markey	Sanders
Eckart	Martinez	Sangmeister
Edwards (CA)	Matsui	Savage
Engel	Mavroules	Sawyer
English	Mazzoli	Schiff
Espy	McCloskey	Schroeder
Evans	McCurdy	Schumer
Ewing	McDermott	Sensenbrenner
Fawell	McMillen (MD)	Serrano
Flake	McNulty	Sharp
Foglietta	Mfume	Shays

Sikorski	Swift	Washington
Slattery	Synar	Waters
Slaughter	Tallon	Waxman
Smith (FL)	Tanner	Weiss
Snowe	Tauzin	Wheat
Solarz	Torres	Wise
Staggers	Torricelli	Wyden
Stallings	Towns	Yllie
Stark	Trafficant	Yates
Stenholm	Upton	Yatron
Stokes	Vento	Zimmer
Studds	Viscosky	
Swett	Walker	

NOES—164

Allen	Gingrich	Packard
Anderson	Goodling	Parker
Andrews (NJ)	Gradison	Paxon
Andrews (TX)	Hall (TX)	Payne (VA)
Archer	Hamilton	Pease
Army	Hancock	Petri
Aspin	Hansen	Pickett
Baker	Harris	Pickle
Barnard	Hastert	Quillen
Barrett	Hefley	Ravenel
Barton	Hoagland	Ray
Bateman	Hopkins	Rhodes
Bentley	Houghton	Riggs
Bereuter	Hoyer	Rinaldo
Bevill	Huckaby	Roberts
Bilbray	Hunter	Rogers
Bilirakis	Hutto	Ros-Lehtinen
Bliley	Hyde	Rowland
Boehlert	Inhofe	Santorum
Boehner	Johnson (CT)	Sarpallus
Browder	Johnson (TX)	Saxton
Bunning	Jones (NC)	Schaefer
Burton	Kasich	Schulze
Callahan	Klecza	Shaw
Coleman (MO)	Kolbe	Shuster
Coleman (TX)	Kyl	Sisisky
Combest	Lagomarsino	Skaggs
Coughlin	Lancaster	Skeen
Cox (CA)	Lewis (CA)	Skelton
Cramer	Lewis (FL)	Smith (IA)
Crane	Lightfoot	Smith (NJ)
Cunningham	Lloyd	Smith (OR)
Darden	Long	Smith (TX)
Davis	Lowery (CA)	Solomon
DeLay	Machtley	Spence
Dickinson	Marlenee	Spratt
Dicks	Martin	Stearns
Doolittle	McCandless	Stump
Dornan (CA)	McCollum	Sundquist
Dreier	McCrery	Taylor (MS)
Edwards (OK)	McDade	Taylor (NC)
Edwards (TX)	McEwen	Thomas (GA)
Emerson	McGrath	Thomas (WY)
Erdreich	McHugh	Valentine
Fascell	McMillan (NC)	Volkmer
Fazio	Meyers	Walsh
Fish	Michel	Weber
Franks (CT)	Miller (OH)	Weldon
Galleghy	Molinari	Whitten
Gallo	Montgomery	Wilson
Gekas	Moorhead	Wolf
Geran	Moran	Young (AK)
Gibbons	Murtha	Young (FL)
Gillmor	Ortiz	Zeliff
Gilman	Oxley	

NOT VOTING—68

Ackerman	Green	Mink
Alexander	Hammerschmidt	Morella
Anthony	Hatcher	Morrison
Beilenson	Hayes (LA)	Nichols
Brooks	Hefner	Olin
Broomfield	Herger	Patterson
Brown	Hertel	Pelosi
Bustamante	Holloway	Porter
Byron	Horton	Pursell
Campbell (CA)	Hubbard	Roe
Campbell (CO)	Ireland	Rostenkowski
Chandler	Jones (GA)	Roth
Clinger	Kolter	Russo
Collins (IL)	Laughlin	Scheuer
Cooper	Lehman (CA)	Thomas (CA)
Dannemeyer	Lehman (FL)	Thornton
de la Garza	Lent	Traxler
Dingell	Levine (CA)	Unsold
Dwyer	Lewis (GA)	Vander Jagt
Dymally	Livingston	Vucanovich
Feighan	Luken	Williams
Fields	Miller (CA)	Wolpe
Gaydos	Miller (WA)	

The Clerk announced the following pair:

On this vote.

Mr. Scheuer for, with Mr. Holloway against.

Ms. LONG changed her vote from "aye" to "no."

Messrs. JENKINS, ROSE, and EWING changed their vote from "no" to "aye." So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1320

The SPEAKER pro tempore (Mr. HOYER). 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 SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT OFFERED BY MR. HOPKINS

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

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

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

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

The Clerk read as follows:

Mr. HOPKINS moves to recommit the bill H.R. 5006 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of title X (page 202, after line 23), insert the following new sections:

SEC. . IMPROVED NATIONAL DEFENSE CONTROL OF TECHNOLOGY DIVERSIONS OVERSEAS.

(a) LIMITATIONS.—In the case of any proposed or pending merger, acquisition, or takeover of a business firm with foreign persons for which an investigation is undertaken pursuant to section 721(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2158), the President shall take action to prohibit the merger, acquisition, or takeover from taking place unless before the end of the investigation undertaken pursuant to such section 721(a) the Secretary of Defense certifies to Congress that the proposed or pending merger, acquisition, or takeover—

(1) will not pose a significant risk of diversion of sensitive defense technology from the United States to a foreign firm or government; and

(2) will not otherwise result in harm to the national security interests of the United States.

(b) CONSULTATION.—Before determining whether or not to make a certification under subsection (a), the Secretary of Defense shall consult with—

(1) the Under Secretary of Defense for Policy;

(2) the Under Secretary of Defense for Acquisition;

(3) the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence; and

(4) the Director of the Defense Intelligence Agency;

(5) any other official of the Department of Defense that the Secretary determines to be appropriate.

(c) EFFECTIVE DATE.—Subsection (a) shall apply to any proposed or pending merger, acquisition, or takeover with respect to which an investigation undertaken pursuant to section 721 of the Defense Production Act of 1950 is being carried out as of the date of the enactment of this Act or thereafter.

SEC. . REDUCED ENRICHMENT RESEARCH TEST REACTOR.

(a) IN GENERAL.—The Secretary of Energy shall conduct a program of development of high-density low enriched uranium fuels for use in domestic and foreign research reactors that currently use highly enriched uranium fuel and are unable to convert to low enriched uranium fuel.

(b) FUNDING.—There is authorized to be appropriated to the Department of Energy for fiscal year 1993 \$3,000,000 for fuel development and \$1,300,000 for technical assistance for the purposes of subsection (a).

Mr. HOPKINS (during the meeting). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. HOPKINS] is recognized for 5 minutes.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. HOPKINS. I yield to the distinguished gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I appreciate the gentleman yielding to me.

Let me say that I support the motion to recommit. Perhaps it is unprecedented, as far as I can remember. Anyway, I think we have worked out an accommodation with the chairman so that this motion is going to be accepted; but let me say as to the final passage of the bill that I have very mixed emotions because there have been some onerous and some unacceptable amendments made; however, on balance, I think it is a better bill than we expected initially.

I will vote for the final passage of the bill. I do not think there is going to be a vote on the motion to recommit.

Mr. HOPKINS. Mr. Speaker, I yield to the gentleman from Georgia [Mr. GINGRICH], the distinguished minority whip.

Mr. GINGRICH. Mr. Speaker, I thank my friend, the gentleman from Kentucky, for yielding this time to me.

I just want to report to the House that I just talked with Secretary Cheney. We are, frankly, not satisfied with this bill. We are not going to try to defeat it at this stage, but there are so many clearly unacceptable provisions that we may well face a veto if the bill is not improved substantially in conference, so I think Members ought to look carefully at what they do on the bill.

Mr. HOPKINS. Mr. Speaker, this motion to recommit with instructions will

finally give the House the chance to speak on an important national security issue that was wrongly denied by the Rules Committee. The motion includes the Hopkins amendment that simply says that before a foreign interest can buy an American company, the Secretary of Defense, not some faceless committee of lawyers, has to certify to this Congress that the sale will not harm our national security interests.

This amendment does not stop anything. This amendment does not delay anything. It just puts national security back into the equation in deciding who gets to buy our most precious defense secrets.

Support this motion and vote to protect national security.

Mr. ASPIN. Mr. Speaker, I yield to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I support this motion to recommit.

Mr. Speaker, my amendment, like several others we have considered, is intended to reduce the risk of nuclear proliferation. While last year's Persian Gulf war and subsequent U.N. efforts have succeeded in destroying much of Saddam Hussein's nuclear complex, in the future we must redouble our efforts to prevent proliferation in advance, as opposed to sending in half-a-million troops after the fact.

My amendment would reduce the risk of proliferation by blocking one of the easiest pathways to the bomb—theft of bomb-grade uranium. It would do so by restoring a program in the defense programs budget of the Energy Department that will enable reduction of U.S. exports of bomb-grade—technically known as highly enriched—uranium.

The United States for decades has exported this material as fuel to nuclear research reactors. In 1978, we recognized the inherent risks of such commerce and initiated a program to develop alternate, nonweapons usable fuels to replace these exports. Since then, we have reduced such exports by 85 percent. However, a few overseas reactors cannot use any of the alternate fuels developed before the program was prematurely halted in 1990.

These remaining reactors require exports of about 100 kilograms annually of highly enriched uranium, which the DOE reports is sufficient to produce between six and seven nuclear weapons. My amendment would restart development of alternate fuels for these reactors, estimated to require 5 years, so that the United States could terminate all remaining exports of bomb-grade uranium.

Three points underscore the urgency of restarting alternative fuel development:

First, if bomb-grade uranium is intercepted in transit or stolen from a foreign reactor site, it without ques-

tion can be made into a nuclear weapon. In fact, it would be disturbingly easy, as former Manhattan project physicist Luis Alvarez stated in his 1987 memoirs:

If separated U-235, bomb-grade uranium, is at hand, it's a trivial job to set off a nuclear explosion * * * even a high school kid could make a bomb in short order.

Second, no matter how good U.S. physical security is during transit of bomb-grade uranium, and I would contend it can never be 100 percent terrorist-proof, the lax physical security at foreign reactor sites leaves this material extremely vulnerable to terrorist theft. I am submitting for the RECORD an article, regarding a 1988 simulated attack by Dutch Marines on a Dutch reactor supplied with U.S. bomb-grade uranium, which reports that: "in 7 minutes the raiders were in the vault where the fissionable material was kept."

Third, there is indication terrorists have tried to acquire such material. Just yesterday there was a press report which I am submitting for the RECORD, which states that: "antiterrorist police seized weapons-grade uranium yesterday smuggled out of the former Soviet Union and apparently offered to Arab clients." The amount in question was a mere 55 grams of U-235. The United States continues to export 100 kilograms annually, 2,000 times as much; just imagine how the PLO, or Saddam Hussein, or Qadhafi would like to get their hands on that.

The Department of Energy argues against further fuel development on the grounds that the operations of the remaining reactors have expressed reluctance to convert, even if alternate fuels are developed. However, it is important to recall that none of the reactor operators that already has converted was initially enthusiastic about doing so. The United States managed to convince these operators to convert after a suitable alternate fuel was developed, and the same will be true of the remaining reactors.

We also should keep in mind just how cost effective this program is, requiring only \$3 million for fuel development and \$1.3 million for technical assistance annually. If the Strategic Defense Initiative is worth \$4 to \$5 billion annually to defend against rogue nuclear attacks, surely this program is worth 0.1 percent of that amount to prevent terrorists and rogue states from getting the bomb in the first place.

In closing, Mr. Speaker, I would like to reiterate that this is a DOE defense program that belongs in this bill. While it is true that for 3 of its 14 years the program was authorized by the Foreign Affairs Committee in the ACDA budget, the committee terminated this authorization in the late 1980's on the grounds that it was an Energy Department program not in its jurisdiction.

As stated in Foreign Affairs Committee report 100-193:

The Committee therefore believes that the RERTR program should be funded through the Department of Energy and not the Arms Control and Disarmament Agency.

This year, DOE transferred management of the program from international affairs—on the civilian side of the Department—to arms control and nonproliferation—within the defense programs side—in keeping with the program's national security mission. It is now known as AN-20 in the defense programs budget. Accordingly, the defense bill before us is the appropriate vehicle in which to authorize this important program. I urge my colleagues to do so by voting "yes" on this amendment.

PETTEN REACTOR AN ATTRACTIVE TARGET FOR TERRORIST ACTIVITIES

PETTEN.—The experimental reactor in Petten remains a real problem child. Mr. Zijlstra of the Dutch Labor Party is now calling into doubt the standard procedure for issuing permits for the disposal of radioactive material. Even before the outbreak of the Gulf War he indicated the possibility that the leftover fissionable material could be used for military purposes. Environmental organizations such as Greenpeace have sharply criticized the management of the Petten installation.

These concerns center on the life-threatening fuel elements in the high-flux reactor. Pending further decisions on where to put it, the fissionable and radioactive material is provisionally stored at sites in Petten. Until recently, the reprocessing was done in the United States, but the installation there has been temporarily put out of service. In the meantime, the British installation at Dounreay has been mentioned for reprocessing Petten fissionable material. According to Greenpeace, this new plan will require transport through Rotterdam harbor, incurring huge, unavoidable risks.

The Community Research Center of the EC owns the controversial Petten research reactor. It is managed by the Netherlands Energy Research Center, which uses it for several varieties of experiments. Other reactors ordinarily use natural fissionable materials or those enriched at a low level, but the Petten reactor operates with highly enriched fissionable materials, which in principal can also be used to manufacture nuclear weapons. With the use of a high-flux reactor, the enrichment level indeed does go down from 90 percent to around 70 percent, but even then the fissionable material is still useful for military purposes.

What is needed is only the removal of the fissionable products and further enrichment of the uranium. For the present the Petten reactor is at a loss for what to do about this nuclear issue. Work and research continue as usual and the storage basins get fuller and fuller, but according to the Netherlands Energy Research Center, there is no danger to public health whatsoever. The storage reportedly is completely safe. In this Gulf War period, the remaining fissionable material at Petten is an attractive target for assaults and attacks. A spokeswoman in the Ministry of Economic Affairs, which is responsible for the safety of nuclear centers in the Netherlands, stated yesterday in reply to a question that vigilance had been increased.

In 1988, a group of Marines carried out a "terrorist raid" to test the surveillance at

the Petten reactor. In seven minutes the raiders were in the vault where the fissionable material was kept.

Translated for CRS by Harvey Fergusson II.

[From the Baltimore Sun, June 4, 1992]

SMUGGLED URANIUM SEIZED IN AUSTRIA

VIENNA, Austria.—Anti-terrorist police seized weapons-grade uranium yesterday smuggled out of the former Soviet Union and apparently offered to Arab clients, the Austrian news agency APA said.

It said that police arrested an Austrian, two Czechoslovaks and four Hungarians, and that the seizure was made in a parking lot in Vienna. The uranium, in a package weighing 2.6 pounds, was found in a suitcase. Police said it contained 261 pellets of so-called UO2 comprising nearly 5 percent uranium 235 and 55 grams of pure uranium 235.

The radioactive material apparently came from fuel rods taken from a Soviet-designed nuclear reactor.

Mr. ASPIN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Speaker, I was quite disturbed when I learned that the amendment offered by the gentleman from Kentucky [Mr. HOPKINS] had not been made in order under the rule. After all, the gentleman from Kentucky [Mr. HOPKINS] is the ranking member on the Investigation Subcommittee which I have the privilege to chair.

That amendment, now enshrined in the motion to recommit, was jointly crafted by the gentleman from Kentucky [Mr. HOPKINS] and myself and certainly had my full support.

Frankly, I think it is the very least that we can do, and I ask the entire House to support the motion to recommit with the language. The language reflects what we learned in our hearing last month, and we did have a hearing on this issue. At that time it became clear that the process for reviewing proposed purchases of U.S. defense firms by foreign businesses is defective. That is the bottom line, and let me make one further comment.

This will in no way detract from the negotiations that are presently going on, and I think the gentleman from Kentucky [Mr. HOPKINS] and I agreed to that.

It is not going to hold back any sale, but it will give that security measure that we all desire as a House, and I certainly support the motion with the language to recommit.

Mr. ASPIN. Mr. Speaker, let me commend the gentleman from Kentucky [Mr. HOPKINS], the gentleman from New York [Mr. SCHUMER], and the gentleman from Alabama [Mr. DICKINSON] for working this thing out.

Mr. Speaker, I urge an "aye" vote on the motion to recommit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was agreed to.

Mr. ASPIN. Mr. Speaker, pursuant to the instructions of the House, I report the bill, H.R. 5006, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment: At the end of title X (page 202, after line 23), insert the following new sections:

SEC. . IMPROVED NATIONAL DEFENSE CONTROL OF TECHNOLOGY DIVERSIONS OVERSEAS.

(a) LIMITATION.—In the case of any proposed or pending merger, acquisition, or takeover of a business firm with foreign persons for which an investigation is undertaken pursuant to section 721(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2158), the President shall take action to prohibit the merger, acquisition, or takeover from taking place unless before the end of the investigation undertaken pursuant to such section 721(a) the Secretary of Defense certifies to Congress that the proposed or pending merger, acquisition, or takeover—

(1) will not pose a significant risk of diversion of sensitive defense technology from the United States to a foreign firm or government; and

(2) will not otherwise result in harm to the national security interests of the United States.

(b) CONSULTATION.—Before determining whether or not to make a certification under subsection (a), the Secretary of Defense shall consult with—

(1) the Under Secretary of Defense for Policy;

(2) the Under Secretary of Defense for Acquisition;

(3) the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence; and

(4) the Director of the Defense Intelligence Agency;

(5) any other official of the Department of Defense that the Secretary determines to be appropriate.

(c) EFFECTIVE DATE.—Subsection (a) shall apply to any proposed or pending merger, acquisition, or takeover with respect to which an investigation undertaken pursuant to section 721 of the Defense Production Act of 1950 is being carried out as of the date of the enactment of this Act or thereafter.

SEC. . REDUCED ENRICHMENT RESEARCH TEST REACTOR.

(a) IN GENERAL.—The Secretary of Energy shall conduct a program of development of high-density low enriched uranium fuels for use in domestic and foreign research reactors that currently use highly enriched uranium fuel and are unable to convert to low enriched uranium fuel.

(b) FUNDING.—There is authorized to be appropriated to the Department of Energy for fiscal year 1993, \$3,000,000 for fuel development and \$1,300,000 for technical assistance for the purposes of subsection (a).

Mr. ASPIN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

□ 1330

The SPEAKER pro tempore (Mr. HOYER). The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ASPIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 168, not voting 68, as follows:

[Roll No. 172]

AYES—198

Abercrombie	Gibbons	Nowak
Anderson	Gilchrest	Oakar
Andrews (ME)	Glickman	Obey
Andrews (NJ)	Gonzalez	Ortiz
Andrews (TX)	Goodling	Oxley
Annuzeto	Gordon	Pallone
Aspin	Grandy	Panetta
Bacchus	Guarini	Parker
Ballenger	Gunderson	Pastor
Barnard	Hall (OH)	Payne (VA)
Bateman	Hall (TX)	Penny
Bennett	Hamilton	Perkins
Berman	Harris	Peterson (FL)
Bevill	Hoagland	Peterson (MN)
Bonior	Hoagland	Pickett
Borski	Hochbrueckner	Pickle
Boucher	Horn	Poshard
Brewster	Houghton	Price
Browder	Hoyer	Quillen
Bryant	Huckaby	Ravenel
Callahan	Hutto	Ray
Cardin	Jacobs	Reed
Carper	Jefferson	Richardson
Carr	Jenkins	Riggs
Chapman	Johnson (CT)	Ritter
Clement	Johnson (SD)	Roemer
Coble	Jones (NC)	Rose
Coleman (MO)	Jontz	Rowland
Coleman (TX)	Kanjorski	Sabo
Collins (MI)	Kaptur	Sanders
Combest	Kasich	Sangmeister
Condit	Kennedy	Sarpalius
Costello	Kennelly	Sawyer
Cox (IL)	Kildee	Schiff
Coyne	Kleczka	Schroeder
Cramer	Kolbe	Schumer
Barden	Kopetski	Sharp
Davis	Lancaster	Sisisky
DeLauro	Lantos	Skaggs
Derrick	LaRocco	Skelton
Dickinson	Levin (MI)	Slattery
Dicks	Lipinski	Slaughter
Dixon	Lloyd	Smith (IA)
Donnelly	Long	Snowe
Dooley	Lowe (NY)	Solarz
Dorgan (ND)	Machtley	Spratt
Downey	Manton	Staggers
Eckart	Markey	Stallings
Edwards (TX)	Martinez	Stenholm
Engel	Matsui	Swett
Erdreich	Mavroules	Swift
Espy	Mazzoli	Synar
Evans	McCloskey	Tallon
Ewing	McCurdy	Tanner
Fascell	McHugh	Taylor (MS)
Fazio	McMillan (NC)	Taylor (NC)
Fish	McMillan (MD)	Thomas (GA)
Flake	McNulty	Thornton
Foglietta	Moakley	Torres
Ford (MI)	Molinari	Torricelli
Frank (MA)	Montgomery	Traficant
Frost	Moran	Valentine
Gejdenson	Mrazek	
Gephardt	Murtha	
Geran	Natcher	
	Neal (NC)	

Viscosky
Weldon

Whitten
Wilson

Wise
Yatron

NOES—168

Allard	Hayes (IL)	Regula
Allen	Hefley	Rhodes
Applegate	Henry	Ridge
Archer	Hobson	Rinaldo
Army	Hopkins	Roberts
Atkins	Hughes	Rogers
AuCoin	Hunter	Rohrabacher
Baker	Hyde	Ros-Lehtinen
Barrett	Inhofe	Roukema
Barton	James	Roybal
Bentley	Johnson (TX)	Santorum
Bereuter	Klug	Savage
Bilbray	Kostmayer	Saxton
Billrakis	Kyl	Schaefer
Blackwell	LaFalce	Schulze
Bliley	Lagomarsino	Sensenbrenner
Boehlert	Leach	Serrano
Boehner	Lewis (CA)	Shaw
Boxer	Lewis (FL)	Shays
Bruce	Lightfoot	Shuster
Bunning	Lowery (CA)	Sikorski
Burton	Marlenee	Skeen
Camp	Martin	Smith (FL)
Clay	McCandless	Smith (NJ)
Conyers	McCollum	Smith (OR)
Coughlin	McCrery	Smith (TX)
Cox (CA)	McDade	Solomon
Crane	McDermott	Spence
Cunningham	McEwen	Stark
DeFazio	McGrath	Stearns
DeLay	Meyers	Stokes
Dellums	Mfume	Studds
Doolittle	Michel	Stump
Dornan (CA)	Miller (OH)	Sundquist
Dreier	Mineta	Tauzin
Duncan	Mollohan	Thomas (WY)
Durbin	Moody	Towns
Early	Moorhead	Upton
Edwards (CA)	Murphy	Vento
Edwards (OK)	Myers	Volkmer
Emerson	Nagle	Walker
English	Neal (MA)	Walsh
Fawell	Nussle	Washington
Ford (TN)	Oberstar	Waters
Franks (CT)	Oliver	Waxman
Galleghy	Orton	Weber
Gallo	Owens (NY)	Weiss
Gekas	Owens (UT)	Whetst
Gillmor	Packard	Wolf
Gilman	Paxon	Wyden
Gringrich	Payne (NJ)	Wyllie
Goss	Pease	Yates
Gradison	Petri	Young (AK)
Hancock	Rahall	Young (FL)
Hansen	Ramstad	Zeliff
Hastert	Rangel	Zimmer

NOT VOTING—68

Ackerman	Green	Miller (WA)
Alexander	Hammerschmidt	Mink
Anthony	Hatcher	Morella
Beilenson	Hayes (LA)	Morrison
Brooks	Hefner	Nichols
Broomfield	Herger	Olin
Brown	Hertel	Patterson
Bustamante	Holloway	Pelosi
Byron	Horton	Porter
Campbell (CA)	Hubbard	Pursell
Campbell (CO)	Ireland	Roe
Chandler	Johnston	Rostenkowski
Clinger	Jones (GA)	Roth
Collins (IL)	Kolter	Russo
Cooper	Laughlin	Scheuer
Dannemeyer	Lehman (CA)	Thomas (CA)
de la Garza	Lehman (FL)	Traxler
Dingell	Lent	Unsoeld
Dwyer	Levine (CA)	Vander Jagt
Dymally	Lewis (GA)	Vucanovich
Feighan	Livingston	Williams
Fields	Luken	Wolpe
Gaydos	Miller (CA)	

□ 1356

The Clerk announced the following pairs:

On this vote:

Mr. Johnston of Florida for, with Mrs. Unsoeld against.

Mr. Ackerman for, with Ms. Pelosi against.

Mr. Dingell for, with Mrs. Collins of Illinois against.

Mr. Porter for, with Mr. Thomas of California against.

Mr. Holloway for, with Mr. Herger against.
Mr. Bustamante for, with Mr. Green of New York against.

Mr. RITTER and Mr. KENNEDY changed their vote from "no" to "aye."
So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to authorize appropriations for fiscal year 1993 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the bill just considered, H.R. 5006.

The SPEAKER pro tempore (Mr. HOYER). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, I missed two recorded votes as a result of my duties as an official House delegate to the United Nations Conference on Environment and Development. Had I been present in the House Chamber, I would have cast the following votes: Rollcall No. 170, the Andrews (ME) amendment to limit the procurement of B-2 to 15 planes, "aye" and Rollcall No. 171, recommitment of the bill with instructions "aye".

I also paired for the following votes: Rollcall No. 168, Dellums amendment limiting spending on SDI to \$1.2 billion for research, paired "no"; Rollcall No. 169, Durbin amendment to limit spending on SDI to \$3.3 billion, paired "aye"; and, Rollcall No. 172, final passage of H.R. 5006, paired "aye".

PERSONAL EXPLANATION

Mr. CLINGER. Mr. Speaker, I was unavoidably absent for the portion of the Defense bill considered today. Had I been present, I would have voted in the following manner on the fiscal 1993 Department of Defense authorization bill. I would have voted "no" on rollcall vote No. 168, "no" on rollcall vote No. 169, "no" on rollcall No. 170, "no" on rollcall vote No. 171, and "no" on rollcall vote No. 172.

PERSONAL EXPLANATION

Mrs. PATTERSON. Mr. Speaker, I regret that I was not present for the following rollcall

votes during consideration of H.R. 5006, the National Defense Authorization Act for fiscal year 1993. I was attending my son's high school graduation services. Had I been present, I would have voted "nay" on rollcall Nos. 168 and 169, and "aye" on rollcall Nos. 170, 171, and 172.

PERSONAL EXPLANATION

Mrs. MORELLA. Mr. Speaker, because of my attendance at the United Nations Conference on the Environment and Development, I missed rollcall votes 168 to 172. Had I been present during consideration of amendments to the Defense bill, H.R. 5006, and final passage of that bill, I would have voted as follows:

"No" on rollcall No. 168, the Dellums-Boxer amendment on SDI.

"Yes" on rollcall No. 169, the Durbin amendment on SDI.

"Yes" on rollcall No. 170, the Andrews amendment limiting production of the B-2.

"Yes" on rollcall No. 171, the Frank amendment, which I also supported in the Committee of the Whole.

"No" on rollcall No. 172, final passage of H.R. 5006, the National Defense Authorization Act for fiscal year 1993, because it provides unnecessary funding of B-2 and Stealth and because the authorization is too large, given current budgetary constraints and changes in U.S. national security posture since last year's authorization.

PERSONAL EXPLANATION

Mr. FIELDS. Mr. Speaker, due to official business in my district, I was unable to vote on the Dellums, Durbin, Andrews, Frank amendments and final passage of H.R. 5006. Had I been here, I would have voted against the Dellums amendment, No. 168; the Durbin amendment, No. 169; the Andrews amendment, No. 170; and the Frank amendment, No. 171. Finally, I would have voted against final passage of the bill H.R. 5006, No. 172.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5006, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5006, as amended, the Clerk be authorized to make such clerical and technical corrections, including corrections in the table of contents, title and section numbers and cross references, as may be necessary.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sanders, one of his secretaries.

PRESERVING PROPER ACCOUNTABILITY OF FUNDS ATTENDANT TO CONSTRUCTION OF WORLD WAR II MEMORIALS

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to engage in a colloquy with the distinguished gentleman from Florida [Mr. BENNETT] and the distinguished gentleman from Mississippi [Mr. MONTGOMERY], the chairman of the Committee on Veterans Affairs and a member of the Committee on Armed Services.

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

There was no objection.

Ms. KAPTUR. Mr. Speaker, when the gentleman from Florida [Mr. BENNETT] offered his discretionary language on commemorating World War II in H.R. 5006, I assume it was the intention of the gentleman to preserve public and proper accountability of funds attendant to the construction of any World War II memorial.

Mr. BENNETT. Mr. Speaker, if the gentlewoman will yield, that is correct.

Ms. KAPTUR. Mr. Speaker, I assume also it was the intention of the gentleman to preserve prerogatives of other House committees, such as the Committee on House Administration, the Committee on Banking, Finance and Urban Affairs, the Subcommittee on Consumer Affairs and Coinage, and the Committee on Veterans' Affairs, all of which are currently considering related legislation, H.R. 1624, to construct a World War II memorial, and H.R. 1623, the World War II Commemorative Coin bill.

Mr. BENNETT. Mr. Speaker, that certainly was my objective.

Ms. KAPTUR. Mr. Speaker, I ask the gentleman from Florida [Mr. BENNETT], who is a decorated and distinguished World War II veteran himself, if he would be willing to work with me and other members of the respective committees and their chairmen in conference on these important provisions?

Mr. BENNETT. Mr. Speaker, if the gentlewoman will yield, I certainly would. I must congratulate the gentleman from Ohio [Ms. KAPTUR] on the leadership she has given on this. The gentlewoman can certainly count on my cooperation.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Florida [Mr. BENNETT] for his strong interest and support.

Mr. Speaker, I yield to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I also join with the gentleman from Florida [Mr. BENNETT] in commending the gentlewoman from Ohio [Ms. KAPTUR] for the work she has done. I know several years ago she took a delegation from this House to Europe, to Normandy, to work on a battle monument that might be built there in honor of the World War II veterans, those alive

and those who have given their lives, and also back here in the United States.

Mr. Speaker, the gentlewoman is worried, like I am, that the funds that are taken in either by the coins that will be minted and sold and also by private funds, that they be handled in the proper manner, and that we account for those funds.

Mr. Speaker, we have had problems in the past on other memorials, that sometimes we could not have accountability of all of the funds that participated in building that memorial.

So I certainly join in congratulating the gentlewoman from Ohio [Ms. KAPTUR], and say that the Committee on Veterans' Affairs has reported out this legislation that she has sponsored.

□ 1400

Ms. KAPTUR. Mr. Speaker, I thank the chairman of the Committee on Veterans Affairs and distinguished member of the Committee on Armed Services for his leadership and support all the way through. We look forward to the memorial.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. HOYER). The gentleman will state it.

Mr. WALKER. Mr. Speaker, could the Chair inform me what procedure of the House under the rules we just operated under?

The SPEAKER pro tempore. The 1-minute rule.

Mr. WALKER. No one ever requested a 1-minute.

The SPEAKER pro tempore. The gentlewoman requested unanimous consent to proceed for a colloquy, and the Chair recognized her for 1 minute.

Mr. WALKER. I thank the Chair.

REPORT ON HOUSE CONCURRENT RESOLUTION 192, CREATING A TEMPORARY AD HOC JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS TO STUDY AND RECOMMEND REFORMS IN THE OPERATIONS OF CONGRESS

Mr. DERRICK, from the Committee on Rules, submitted a privilege report (Rept. No. 102-550) on the concurrent resolution (H. Con. Res. 192) creating an ad hoc Joint Committee on the Organization of Congress to study and recommend reforms in the operation of Congress, which was referred to the House Calendar and ordered to be printed.

MODIFICATION OF HOUSE RESOLUTION 475, PROVIDING FOR CONSIDERATION OF H.R. 5260, EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM EXTENSION

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that the period of general debate provided for in House Resolution 475, if adopted, be expanded to 90 minutes, with 60 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, and with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I have asked unanimous consent to proceed for 1 minute that I might inquire of the distinguished majority leader the program for next week.

I yield to the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding.

Obviously, business is finished for today. On Monday the House will not be in session, on June 8.

On Tuesday, June 9, the House will meet at noon to consider suspensions. I would assume that votes might begin by 2 or 3 in the afternoon on Tuesday.

There will be eight bills on suspension:

First, H.R. 4342, the veterans employment and GI bill amendments; H.R. 4368, national cemetery system and VA home loan amendments; third, H.R. 5333, the Balanced Budget Act of 1992; H.R. 3614, National Land Remote-Sensing Policy Act; fifth, House Joint Resolution 320, memorial to African-Americans who died as Union soldiers during the Civil War; H.R. 5058, American Folklife Center authorization for fiscal year 1993 to 1997; House Concurrent Resolution 232, calling for acceptance by certain republics of Helsinki Act of Commitments; House Resolution 461, sense of Congress concerning the Chinese Government's harassment of foreign journalists; H.R. 5260, the Unemployment Compensation Amendments of 1992, that will be under a closed rule, 1½ hours of debate.

On Wednesday, June 10, and the balance of the week, the House will meet at 10. We will take up House Resolution 450, the rule providing for consideration of House Joint Resolution 290, proposing an amendment to the Constitution to provide for a balanced

budget; House Joint Resolution 290, proposing an amendment to the Constitution to provide for a balanced budget, subject to House Resolution 450, 9 hours of general debate.

Originally listed on the tentative schedule was House Concurrent Resolution 192, creating a temporary ad hoc Joint Committee on the Organization of Congress to study and recommend reforms in the operations of Congress. The decision has been made to not have that on Friday. That will not be on the schedule for next week.

However, I would say that there are bills that possibly may need to be taken up on Friday. We do not know yet specifically whether or not there will be a need for Friday business. There could be an emergency supplemental awaiting Senate and House action.

There is a jobs through exports bill and a conference report on the ADAMHA legislation.

We will, as soon as possible next week that we know about the schedule, possible schedule for Friday, try to let Members know that.

Mr. MICHEL. Since the gentleman mentioned the supplemental appropriation, it is my understanding that it is really getting loaded down, bogged down or whatever. There is no question but that if it does not take on a different character that we are going to be faced with a veto.

I would surely encourage the majority to use whatever influence they have with the parties responsible here to bring that thing more in line with what will meet with approval by the White House.

Otherwise we are just going through a charade here. They are already, from what I understand, outside the limits of both Houses. That is just not going to wash.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I am interested in H.R. 5333, the Balanced Budget Act of 1992. I am not aware that such a bill has ever been to any committee and yet it is put on the suspension calendar, which means that it is limited in debate.

To my knowledge, before today, no language existed for the bill.

Therefore, as Members go home, it is going to be difficult for them to know in that case anything about the bill. I am just wondering whether or not this is an appropriate way to deal with a suspension calendar, to put a bill that has never been before any committee on suspension calendar where debate is automatically limited.

Mr. MICHEL. The gentleman mentioned a number.

Mr. WALKER. It is on the sheet I had earlier as a blank, and now all of a sudden it has become H.R. 5333, as I understand it, which means that it probably

got dropped sometime today. But earlier today there was no language for the bill.

I am just wondering how we are going to go through the appropriate committee action that should precede bringing such a piece of legislation to the floor.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will continue to yield, the bill has been introduced this afternoon. It obviously has the test of two-thirds, as the gentleman knows, under a suspension calendar.

As far as what exactly is in it, as the gentleman knows, next week we will be taking up the balanced budget constitutional amendments that can be changed up to an hour before they are actually considered.

Obviously, we have had consideration of these matters. There have been extensive hearings in the Committee on the Budget and extensive comment made on all manner of balanced budget proposals.

We will be voting through the week on this as a statute and many other vehicles as constitutional amendments.

Mr. WALKER. Mr. Speaker, if the gentleman will continue to yield, the fact is that the balanced budget language that we will get to has been language that has been around for a long time. In fact, it has been around so long that it had to be discharged from the committee by a discharge petition at the desk because it had hung around so long that it was literally dying in committee.

In this particular case, however, the language was obviously written within the last few hours, was dropped in, and it has not been before any committee.

There has been no chance to consider what the implications of the language might be at all.

Most Members have no familiarity with the language and yet it ends up in a process where there can be no amendments, where it has never been before a committee where it could be amended, where there has been no debate.

Debate is going to be limited to a total of 40 minutes, as a result of being put on the Suspension Calendar. This is a process that has run amok, and the suspicion at least is that this is simply a bill that has been put on the suspension calendar to provide cover for Members who do not want to otherwise vote for a balanced budget amendment to the Constitution but think they have to go home and politically have something to explain.

I think that is a terrible process, and it does the House no particular favor to proceed in that kind of manner.

I wonder if in fairness maybe we could at least assign the minority the ability once a week to put one such bill on the calendar, too. Why not allow us to have our Economic Growth Act where we simply stick an H.R. on and put the Economic Growth Act and

allow the minority leader of the House, the Republican leader, to offer such a bill. It would not have been before any committee either, but that is no different from the balanced budget statute that the gentleman is going to offer.

Mr. GEPHARDT. As I understand it, next week we have a rule that will be on the floor that will allow a number of approaches to a constitutional balanced budget amendment, two of which will be sponsored by Members of the Republican side.

Mr. MICHEL. If I might make an observation here, it does suggest there is a pattern here. I recall the constitutional amendment on desecration of the flag. And just prior to our consideration of that constitutional amendment, there was a similar kind of ploy used for a statute to do what supposedly we were prepared to do by way of a constitutional amendment.

□ 1410

Admittedly, it gave Members an opportunity to vote for the statute, and I think it then resulted in our being roughly three or four votes short of getting the required number for a constitutional amendment. However, the pattern is there, which certainly suggests it is another effort on the part of the leadership on the other side to scuttle a balanced budget amendment.

However, in answer to the gentleman, and not that I should really answer, but maybe just comment on his question that he validly raises, whether or not the minority might very well be entitled to also bring up, particularly when we have attempted, as we have, and been denied before the Committee on Rules, an opportunity to offer just such a package when we consider unemployment compensation at a time when we think job creation is more important, quite frankly, than simply extended benefits for the unemployed. That is a problem, but I think maybe we have our priorities all turned around here.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to my friend, the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, let me note that with respect to the distinguished majority leader, first of all, the reason there would be two Republican constitutional amendments next week is because a discharge petition was signed by Members of the House, despite the Democratic leadership, not because of it.

Second, I would note on a day when 7.5 percent unemployment was announced that those of us who last year on two occasions tried to offer an economic growth act to unemployment extension, and warned then that we would be right back here, we went to the Committee on Rules this week and we asked for the \$4,000 home buyer's

tax credit. We asked for passive loss for real estate, which has 338 Members on both sides of the aisle cosponsoring it, 338 cosponsors. We asked for the repeal of the boat tax, which would help the boat industry create jobs across the country in places where people work in that industry. We asked for some extenders that are desperately needed, and are tax extenders.

We could not even get the Democratic leadership to allow us to have an up-or-down vote. We are going to have a vote, a procedural fight on the previous question involving a Republican substitute that has 338 Members of both sides on one of its most important provisions.

Second, I am told a little while ago that despite the House having voted 372 to 26 to instruct conferees on the supplemental to accept the Senate language calling for enterprise zone legislation, that that language has been struck. If the House can vote 376 to 26 to instruct the Democratic leadership and the opposite occurs, what is the point of coming to the floor?

Finally, I understand we still have no schedule at all on getting passage on the enterprise zone bill, which Peter Ueberroth told us would create jobs, and in 48 hours private businesses began in the poorest part of America's cities to create jobs. I would just say to the leadership surely they could allow us to bring up our unemployment bill under suspension, or surely they could allow us to go back to the Committee on Rules and have a fair rule giving both sides a fair chance.

If they can bring to the floor not even a stalking horse, it is a stalking pony, this is too tiny to be a horse; if they can bring on the floor a bill which on their whip notice did not even have a number, and they can bring it to the floor, surely they could allow the Republican leadership on behalf of the President to get an up-or-down vote on creating jobs next week when we bring up unemployment.

I would ask them to seriously reconsider going back to the Committee on Rules on Monday and producing a rule that would allow us to have a fair, decent, open opportunity on a passive loss bill that has 338 cosponsors.

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I am delighted to respond to the distinguished minority leader.

Mr. Speaker, I would be inclined to take seriously the comments made by the distinguished chief deputy whip, Mr. WALKER, with regard to the balanced budget amendment, and the distinguished minority whip, Mr. GINGRICH, with respect to the unemployment compensation bill, if in fact the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from Geor-

gia [Mr. GINGRICH] and their colleagues on the debate on the balanced budget amendment next week will tell us what will be in their pledge.

We have laid out what our amendment will be. The gentleman from Missouri [Mr. GEPHARDT], the gentleman from Wisconsin [Mr. OBEY], and myself have an amendment. Everyone knows what it is. We have yet to hear what the amendment from the gentleman from Texas [Mr. STENHOLM] will do, what it will affect, and for the gentleman to come to the well and suggest that the bill to be offered by the gentlewoman from Connecticut [Mrs. KENNELLY] is sprung on them, the bill by the gentlewoman has been introduced, the Members can read it, and it is there.

On the other hand, I would say to the gentlemen that they have a phantom piece of legislation that will be brought up at the last minute on Thursday, so I think it is disingenuous to suggest that we are springing something on them on Tuesday on suspensions, and I would say to the gentlemen that they have under the rule three opportunities on this balanced budget amendment process: They have the opportunity of the gentleman from New York [Mr. FISH]; they have the opportunity with their colleagues, the gentleman from Texas [Mr. BARTON]; and they have the opportunity to recommit, while we get one shot at it.

To suggest there is some unfairness here just stretches credulity.

Mr. MICHEL. Mr. Speaker, the last time I looked at the official designation of the gentleman from Texas [Mr. STENHOLM], he was a recognized Democrat for as long as he has been elected to this Congress.

Mr. BONIOR. Mr. Speaker, I am not talking about that.

Mr. MICHEL. Mr. Speaker, I have the time. I cannot help it if they have the problem over there on their side that they cannot get together in a unified measure over there. That is their problem, not ours.

Mr. BONIOR. We will see how unified we are on Thursday. We will be unified on Thursday.

The SPEAKER pro tempore (Mr. HOYER). The minority leader has the time.

Mr. MICHEL. Mr. Speaker, let me divert, if I might, just for a moment, because there is another question to my distinguished friend, the gentleman from Missouri [Mr. GEPHARDT], the majority leader. I appreciate putting off that measure with respect to Hamilton-Gradison. Would that be until the following week, for sure?

Mr. GEPHARDT. Will the gentleman yield?

Mr. MICHEL. I yield to the majority leader.

Mr. GEPHARDT. Mr. Speaker, it is possible, I am told, that we could take it up on Wednesday or Thursday, al-

though there probably will not be time for that. We will just not bring it up on Friday, because Mr. GRADISON has told me that it was impossible for him and others to be here that day. Since he has had such a role in constructing that legislation, we decided not to do it at that time.

Mr. MICHEL. I appreciate that, because I personally would like to be here on that day, and it is absolutely impossible for me Friday, so I appreciate that courtesy. I just was wanting a little more clarification. It definitely is off Friday? I do not see how we can do it either Wednesday or Thursday of this coming week, when we seem to be really strapped for time, under the rule, with all the hours of general debate and amendments on the balanced budget amendment.

Mr. GEPHARDT. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. Yes; I yield to the gentleman.

Mr. GEPHARDT. Let me respond to the gentleman from Georgia [Mr. GINGRICH], my friend, the minority whip. Let me say on the question of enterprise zones, as the gentleman knows, this week I gave an assurance to the minority that we would have an enterprise zone bill on the floor of the House before the Fourth of July. I have also made attempts to get a similar kind of assurance from both Republicans and Democratic Members on the other side of the building, in the other body.

We do have an assurance on their side that they will have a similar bill in the Senate a week after we complete action here, when they come back from the Democratic Convention. The gentleman also knows that is when we are engaged in talks and negotiations to try to find common ground on that legislation. If we can find that in the next week, the next 2 weeks, we can go to the floor with such a bill in both Houses and complete it.

I would just remind the gentleman, as I am sure he knows, that we are trying to find common ground on that important piece of legislation, and we will continue to do that.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

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

Mr. GINGRICH. Mr. Speaker, I will just make one more point, and I do not want to be tenacious about this, but I would like to point out two things.

One, I would say to the Democratic whip, the only reason there is a balanced budget rule on the floor next week is that Democrats and Republicans alike signed a discharge petition despite the scheduling decisions of their leadership, so to complain now because on a bipartisan basis Democrats and Republicans alike signed a discharge petition to create a rule, because they would not, I think is a bit much.

Second, my only concern about enterprise zones is, first, that the longer we wait, the longer the summer goes on, the fewer the jobs we are creating in the private sector that are permanent and real. I am very eager to have us create private jobs that are real in the inner city as quickly as possible.

Additionally, I would just at some point like an assurance that we can have a mutually agreeable rule on enterprise zones, and we do not end up, as we are on unemployment, being given only the last version of what they would do, with no fair opportunity for the membership to look at something the President would sign.

I would just hope as we work together next week, and I look forward to working together with the distinguished majority leader, that we could agree to some procedure by which a bill which could be signed by the President would come to the floor under enterprise zone legislation.

□ 1420

Mr. DREIER of California. Mr. Speaker, will the gentleman yield?

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

Mr. DREIER of California. Mr. Speaker, I thank the distinguished minority leader for yielding. I would like to follow on the comments by the distinguished minority whip and say that as we looked at the unemployment rule it was a great tragedy, and very reasonable amendments which were brought up from both sides of the aisle were defeated on a party-line vote. And I am thinking specifically of the amendment that was offered by the gentlewoman from Connecticut who wanted to allow for withdrawals from individual retirement accounts, 401(k)'s, to allow those who are on unemployment compensation to expand those dollars, and then when the gentleman from New Jersey [Mr. HUGHES] offered his amendment to try and bring about the repeal of the luxury tax, which many Members in this House want to see happen, that was defeated on a party-line vote.

So it seems to me that we have an extraordinarily unfair rule in this case. I hope very much that we will be able to defeat it, and go back up and bring about the kind of balance which the membership in this House clearly wants.

I thank the gentleman for yielding.

Mr. EDWARDS of Texas. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. Mr. Speaker, I thank the gentleman for yielding.

I was prepared to make a 1-minute statement in a few moments in favor of the balanced budget amendment as a Democrat who signed the discharge petition. Having heard the previous conversation, I am not going to make that

statement, and I would like to suggest to both sides of the aisle, and particularly those who are genuinely for a balanced budget amendment, that the less we allow this to become a partisan issue in the final hours before the vote, the better chance we have of doing what some of us think is right for this country. And I think a somewhat partisan attack on the majority leadership is detrimental to our cause of fighting for a balanced budget amendment. And I can speak as one Member who signed the discharge petition in saying that at no time did the majority leadership deny us the right to come to the floor with this amendment this year. In fact, they gave us every indication throughout a number of conversations we would have that right. It was simply a strategic decision on the part of a number of us on a bipartisan basis that the sooner we had the vote, the better we would have a chance of passing it into law and into the Constitution.

So for whatever it is worth, to those of us who are fighting for a balanced budget amendment, I would suggest we keep this issue on a nonpartisan basis and focus on the content of the amendment, and move ahead with a debate based on the merits of the legislation.

Mr. MICHEL. Well, let us not get confused with the minute you raise an argument in this place you are being politically partisan, for gosh sake. This House is supposed to be a forum for arguing between the two sides while we have two vigorous political parties, hopefully to do it in the context of friendliness, and to the degree that we do not make them personal. But we cannot completely submerge differences of opinion that Members have, very legitimate ones, and you cannot then be castigated for being politically partisan.

The gentleman from Pennsylvania raised a very legitimate question, and if the gentleman had found himself in the minority for a period of about 36 years like this gentleman has, and put up with it not only week after week, but year after year, eventually then it does well out, and you say when do we get our little bitsy bite of the apple. And there is nothing wrong with that, a legitimate question to be asked, and nothing partisan in it other than hey, give us a fair shake, please.

Mr. EDWARDS of Texas. Mr. Speaker, will the gentleman yield briefly?

Mr. MICHEL. Surely, I am happy to yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I have deep respect for the minority leader, and I want to say that I have watched him and respected him for 20 years, going back to when I was an aide here. I just simply want to say that the suggestion was made that the Democratic leadership has tried trickery in order to kill the balanced budget amendment. As one supporter of the balanced budget amendment, and as a Democrat who

voted for the discharge petition, I would like to set the record straight. I do not think that is correct. I disagree with it, and I do respect the gentleman's right to express his views.

Mr. MICHEL. Mr. Speaker, if there are no more questions, I yield back my extended 1 minute.

ADJOURNMENT TO TUESDAY, JUNE 9, 1992

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Tuesday, June 9, 1992.

The SPEAKER pro tempore (Mr. HOYER). Is there objection to the request of the gentleman from Missouri? There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

EXPRESSION OF THANKS TO CURRENT CLASS OF PAGES

(Mr. EMERSON asked and was given permission to address the House for 1 minute.)

Mr. EMERSON. Mr. Speaker, I take this time to note to the House that this is the last day of service for our current class of pages. They will be leaving at the close of business today and going back to the communities from whence they came, and we will have a new class of pages for the summer commencing on Monday.

I want on behalf of the many Members who have spoken to me about their concern for an interest in the page program to express my appreciation to the pages for the services that they have rendered throughout this past school year.

Mr. Speaker, I had the privilege back in the 83d Congress and in the first session of the 84th Congress to be a page myself. I will say that that experience was probably the single most beneficial learning experience that I ever had. It was an absorptive experience. You learned things as a page that you cannot learn out of textbooks, and I hope that the pages who have served here in 1991 and 1992 have found the experience to have been as meaningful as I did. I want to wish each of the pages well in their future academic and career endeavors, and hope that their service here has been an inspiration.

Mr. KOLBE. Mr. Speaker, will the gentleman yield?

Mr. EMERSON. If I may, Mr. Speaker, I yield to another former page, the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Missouri for yielding. As he mentioned, like himself, my first beginnings or first stirrings in politics were here in the Congress of the United States, though over in the other body as a page for 3 years back in the 85th and 86th Congresses.

I think sometimes we forget how much we rely on the pages around here and what a job they do for us. They are very much the oil that makes the place work. They are the ones that take care of the needs on a minute by minute and a daily basis, and they make things flow, messages flow, and items from one office to the other, and they assist us in our duties here on the floor.

So I join with my colleagues in saying thank you to each and every one of the pages that we have, Republicans and Democrats, and my thanks to all of the Members who have sponsored them for taking the time and the caring to sponsor them and to make sure that we have young men and young women here who are not only good in doing the jobs, but will get something out of this over the long term. I know that from my own experience, obviously the page experience was enormously important to me, for it gave me my first real interest in politics. And I know that from this crop of pages we will see some who will come back to join us here again, some perhaps on a staff basis, but some I know will be back here someday as a Member of this body, probably long after the gentleman from Missouri and I are gone.

But I do want to say to each and every one of them that we wish them well, we thank them for the service that they have provided us, and we know that they will have a successful finish to their high school careers and on beyond that in college and throughout their lives. We hope they will come back and see us from time to time. We hope they will remember this experience. I am sure they will.

Again I thank the gentleman for yielding.

Mr. EMERSON. I thank the gentleman for his contribution.

Mr. DREIER of California. Mr. Speaker, will the gentleman yield?

Mr. EMERSON. I am delighted to yield to the gentleman from California.

Mr. DREIER of California. Mr. Speaker, I thank my friend for yielding, and I stand here having never served as a page, but very pleased to know that my friend from Arizona and my friend from Missouri were well trained, and in fact can carry messages and deliver things around for us. And I hope that my colleagues will recognize that in the future when they need to have things taken care of.

I also want to say that I extend hearty congratulations and my appre-

ciation to the pages. I said I was not a page, but when I was elected here 12 years ago I was on more than one occasion mistaken for a page, and I did get some encouragement from the gentleman from Missouri [Mr. EMERSON], because of his expertise when he was a page. And he has an incredible story which I know he has shared with the pages, but he was here when several Members of this House were wounded on the floor, and I hope at some point that he will share that with the pages who have not heard it and with our colleagues here in the House.

So I join in extending hearty congratulations to those pages, and I look forward to their commencement this evening, and I wish them well in their future endeavors.

I thank my friend for yielding.

□ 1430

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. EMERSON. I am delighted to yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank my colleague, the gentleman from Missouri [Mr. EMERSON] for yielding to me. He has given such outstanding service on the Page Board over the years, and as a former page himself really knows very well of their experience.

I want to rise on our side, this is a very bipartisan board, the Page Board, and it is a very bipartisan feeling that we have with respect to the pages.

We are in an era, unfortunately, of great cynicism with respect to public institutions.

The page system, yes, does assist us in carrying out the duties of our office, but as well each and every one of the pages who is here gets unique experience for young people in this country, and that is they get a firsthand opportunity to view the Congress and its individual Members as they work, as they try to come to grips with the problems confronting this Nation.

I believe, my experience has been and I believe that they will go away with a more positive attitude because of this experience.

As President of the Maryland Senate from 1975 to 1979, I and the Speaker of the House had the opportunity to oversee a page program that we had in our State legislature. Invariably at the end of their tenure I would have the opportunity of talking with the pages. In fact, they went away surprised that Members worked as hard as they worked, surprised that Members cared as much as they cared. Therefore, I believe we send forth from this graduation tonight, really, ambassadors in many respects to other young people with whom they will come in contact, having had a unique experience, having knowledge of their Government, having particular knowledge of this body that we call the People's House. It is an extraordinary program.

They will be leaders in their communities, in their schools, and in our Nation in the years and decades ahead.

It is appropriate, therefore, that we rise, and I join the gentleman from Missouri [Mr. EMERSON] and my colleagues in thanking them for the service that they have given in the prosecution of the people's business, but also to rise to wish them the very best as they go forth to lead in their communities and in this Nation at a time when the needs of our Nation for the enthusiasm and idealism of our youth is very high indeed.

So congratulations to them and Godspeed.

Mr. EMERSON. Mr. Speaker, I thank the distinguished chairman of the Democratic caucus for his eloquent and trenchant comments.

Mr. Speaker, I am glad to yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I, too, want to commend the gentleman from Missouri for the outstanding manner in which he has conducted our page program over the years. It has come to me as a matter of surprise to learn that the good gentleman from Missouri was a page himself at one time and so, too, to learn of some of the page activities by our other colleagues.

I am pleased that seated along side of me, one of our senior staff members on our Post Office and Civil Service Committee, George Omus, was also a page back in the 1950's, 1958 I believe, and a number of our staff people have been former pages; so I, too, want to join in congratulating and commending our young pages for the outstanding work they have done. We wish them well in their future endeavors.

A number of pages who have been appointed from my congressional district have gone on to greater things and I am sure that this class will be no different.

God bless all of them.

Mr. EMERSON. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN].

Mr. Speaker, I thank the Chair for its indulgence at this great length.

In closing, I want to wish to each of our pages, these young men and women who are departing here today, all good things for their careers, for their success, for their happiness. God bless you each and every one, and Godspeed.

BE KIND TO ANIMALS AND NATIONAL PET WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 429) designating May 3, 1992, through May 9, 1992, as "Be Kind to Animals and Na-

tional Pet Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. GUARINI. Mr. Speaker, this year, as I have in the past, I introduced legislation to designate a week in the year as "Be Kind to Animals and National Pet Week."

As in the past, the support for this resolution has been overwhelming. This year, over 200 of my colleagues signed on as cosponsors, demonstrating a strong commitment to promote kinder treatment of animals and appreciation for those who work to help and protect them.

Americans love animals and in passing this resolution to set aside the week of May 2-May 8, 1993 as "Be Kind to Animals and National Pet Week," we will help reaffirm our country's strong commitment to promote proper care of our pets and guard against cruel and irresponsible treatment.

We are also setting aside time to honor veterinary medical professionals, animal protection organizations, state humane societies, local animal care agencies throughout our country, and the people who dedicate their lives to improving the health and welfare of our pets.

Animals help us in so many ways. For example, dogs help guide the visually impaired and others that need assistance. Many of our police departments have canine units and there are even dogs which are trained to help rescue avalanche victims.

The very presence of animals can be good medicine. Studies have shown that regular contact with animals can have a positive effect. Elderly people who own a pet visit their physicians less often and handle stress better. We have also learned that growing up with an animal at home enhances social skills and self-esteem in children.

As Americans we must remind ourselves that living with animals involves a great deal of responsibility. Children especially, must be taught that we must be responsible as well as caring with the animals we live with.

I want to thank the Committee on Post Office and Civil Service, Subcommittee on Census and Population, its Chairman TOM SAWYER, and the distinguished Members of Congress from both parties who have joined me in this effort to promote responsible treatment of animals and recognition for those who care and treat them.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

S.J. Res. 429

Whereas 1992 marks the 77th anniversary of the American Humane Association's "Be

Kind to Animals Week" and the 12th anniversary of "National Pet Week", sponsored by the American Veterinary Medical Association, the Auxiliary to the American Veterinary Medical Association, and the American Animal Hospital Association;

Whereas animals and pets give companionship and pleasure in daily living, share the homes of over 50,000,000 individuals or families in the United States, and provide special benefits to elderly persons and children;

Whereas the people of the United States have a firm commitment to promote responsible care of animals and pets and to guard against cruel and irresponsible treatment;

Whereas teaching kindness and respect for all living creatures through education in schools and communities is essential to the basic values of a humane and civilized society;

Whereas the people of the United States are grateful to the veterinary medical profession for providing preventative and emergency medical care and assistance to animals, spaying and neutering animals to combat overpopulation, and contributing to the education of animal owners; and

Whereas the people of the United States are indebted to animal protection organizations, State humane organizations, and local animal care and control agencies for promoting respect for animals and pets, educating children about humane attitudes, and caring for lost, unwanted, abused, and abandoned animals: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 3 through 9, 1992, is designated as "Be Kind to Animals and National Pet Week". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAWYER: Page 3, line 3 is amended by striking "May 3 through 9, 1992" and inserting "May 2, 1993, through May 8, 1993".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. SAWYER].

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed.

TITLE AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. SAWYER: Amend the title so as to read: "A joint resolution designating May 2, 1993, through May 8, 1993, as 'Be Kind to Animals and National Pet Week'".

The title amendment was agreed to.

A motion to reconsider was laid on the table.

NATIONAL AWARENESS WEEK FOR LIFE-SAVING TECHNIQUES

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be

discharged from further consideration of the joint resolution (H.J. Res. 442) to designate May 16, 1992, through May 22, 1992, as "National Awareness Week for Life-Saving Techniques," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I yield to the gentleman from Florida [Mr. YOUNG], the chief sponsor of House Joint Resolution 442.

Mr. YOUNG of Florida. Mr. Speaker, I want to thank my colleague from Ohio [Mr. SAWYER], the chairman of the subcommittee, and my colleague from Pennsylvania [Mr. RIDGE], the ranking minority member, for their prompt action and support of House Joint Resolution 442, legislation I have introduced to designate the week of July 5 through 11, as "National Awareness Week for Life-Saving Techniques."

I would especially like to thank the American Red Cross and Carlos Rainwater, a member of its board of governors and a constituent from St. Petersburg, FL, who brought this matter to my attention, as well as the American Heart Association and the many other organizations which have supported this resolution, for placing such a high priority on educating our colleagues and the American people, about the importance of knowing these simple techniques that can save a life.

Mr. Speaker, the figures are startling. The National Safety Council reports that more than 850,000 Americans of all ages die every year as the result of accidents and heart disease. Frighteningly, many of these lost lives are of children. In fact, statistics show that accidents are the leading cause of death for children and youth from 1 to 24 years of age, and drowning and choking are a leading cause of death for children under the age of 5. In my State of Florida alone, drowning is the No. 1 cause of accidental death in children aged 4 and younger, and Florida is the leading State in the number of drowning deaths among children.

Having someone at the scene of an accident who knows a life-saving technique such as rescue breathing or cardio pulmonary resuscitation [CPR], and who can administer it effectively and immediately can help drastically reduce these tragic numbers. Most doctors believe that performing a life-saving technique on the scene can do more to save a life than all subsequent medical care—no matter how sophisticated.

Mr. Speaker, in passing this resolution, this body is acknowledging the threat of accidents and heart disease, particularly to our children, and is helping more Americans recognize and understand the contribution life-saving

techniques make to reduce this threat. It is my hope that by calling attention to these techniques, we can improve public awareness about the wide range of opportunities available to learn them.

Mr. Speaker, accidents and heart attacks occur without warning. Encouraging the American people to make the small investment in time required to learn these basic skills could someday mean the difference between life and death. I thank my colleagues for joining me in support of this measure to raise public awareness about the importance of knowing these basic life-saving skills.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 442

Whereas the National Safety Council reported that about 850,000 Americans died in 1990 as a result of accidents and heart disease;

Whereas accidents are the leading cause of death for children and youth ages 1 to 24 years;

Whereas drowning and choking are a leading cause of accidental death in children under the age of 5 years.

Whereas Rescue Breathing and Cardiopulmonary Resuscitation, commonly referred to as CPR, are life-saving techniques that significantly reduce the incidence of sudden death due to accidents and heart disease;

Whereas it is critical that more Americans learn such basic life-saving techniques in order to reduce the number of death related to accidents and heart disease;

Whereas the opportunity to learn basic life-saving techniques is available to all Americans through the American Red Cross, the American Heart Association, the YMCA, and other national organizations; and

Whereas the death rate due to accidents and heart disease would be greatly reduced if more Americans received training in basic life-saving techniques: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 16, 1992, through May 22, 1992, is designated as "National Awareness Week for Life-Saving Techniques". The President is authorized and requested to issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities designed to encourage training in life-saving techniques for Americans.

AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAWYER: Page 2, line 3, strike "May 16, 1992, through May 22, 1992," and insert "July 5, 1992, through July 11, 1992,".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. SAWYER].

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. SAWYER: Amend the title so as to read: "Joint resolution to designate July 5, 1992, through July 11, 1992, as 'National Awareness Week for Life-Saving Techniques'."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

NATIONAL SPINA BIFIDA AWARENESS MONTH

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 470) to designate the month of September, 1992, as "National Spina Bifida Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Reserving the right to object, Mr. Speaker, I would like to acknowledge the gentleman from Michigan [Mr. BROOMFIELD] as the chief sponsor of House Joint Resolution 470, designating September 1992, as "National Spina Bifida Awareness Month."

Mr. Speaker, I rise in strong support of House Joint Resolution 470, a joint resolution proclaiming the month of September 1992, as National Spina Bifida Awareness Month. I would like to commend the gentleman from Michigan [Mr. BROOMFIELD] for introducing this important measure.

Spina bifida is the single most common disabling birth defect. This horrible disease occurs in 1 out of every 1,000 births. Spina bifida is a defect of the spinal column that results from the failure of the spine to close properly in the first weeks of pregnancy.

People who are diagnosed as having spina bifida suffer from varying degrees of paralysis, loss of sensation in the lower limbs, as well as suffering from hydrocephalus, a condition involving improper circulation and accumulation of fluid in the brain.

Mr. Speaker, because of improvements in medical technology, more than 90 percent of all children born with spina bifida are expected to live a normal lifespan. Just 20 years ago, that same 90 percent died within a few years of birth.

Currently, the Spina Bifida Association of America is working to raise public awareness of spina bifida and the much-improved treatment available to affected children.

Accordingly, I urge my colleagues to support House Joint Resolution 470.

With the passage of this joint resolution, we will be able to help educate the American people about this terrible affliction that strikes tens of thousands of children each year.

Mr. BROOMFIELD. Mr. Speaker, on April 9, I introduced House Joint Resolution 470 to proclaim the month of September 1992 as National Spina Bifida Awareness Month. I am grateful to my colleagues on both sides of the aisle who have generously lent their support, and I would like to thank them for helping to bring this resolution to the floor.

Surprisingly few people in this country know what spina bifida is. For that matter, few have even heard of spina bifida. I say surprisingly because it disables so many newborns. In fact it permanently disables more newborns than any birth defect in this Nation—more than cystic fibrosis, multiple sclerosis, muscular dystrophy, and polio combined.

Spina bifida is a birth defect that affects the spinal column. It occurs when the spinal cord fails to close completely during prenatal development. In its more severe forms, spina bifida can result in the accumulation of fluid on the brain, complications of the bladder and bowel, and paralysis.

I learned about spina bifida from personal experience. My granddaughter, Lindsay Shaffer, was born with Spina Bifida Occulta. It is the least severe form. Still, she had to undergo two very long and difficult operations to correct the damage. Thanks to some very professional and caring doctors and nurses, Lindsay is today as healthy and as active as any other 2½-year-old.

Many other children born with spina bifida are not nearly as fortunate as Lindsay. These children will face physical challenges throughout their lives.

Extensive therapy—both physical and psychological—is critical for these children and young adults. But with proper care, they can enjoy independent and fulfilling lives.

More must be done for those who suffer from spina bifida. Efforts to find the cause, and a preventive treatment for spina bifida are already underway.

The current research has been extremely encouraging, and I look forward to the day when spina bifida no longer threatens our children. This resolution should help focus more attention on these important efforts.

Additionally, I have to extend both my deep respect and appreciation to two physicians at the Children's National Medical Center: Dr. Catherine Shaer, the medical director of the Spina Bifida Program and Dr. Dennis Johnson the acting chair of neurosurgery. They have done some pioneering work with those affected by spina bifida, and in so doing have brought much happiness into the lives of many young children and their parents.

Once again, I'd like to thank the many colleagues who have cosponsored House Joint Resolution 470—particularly, BEN GILMAN and FRED UPTON, who have helped lead the effort to attract broad, bipartisan support for this important legislation.

□ 1440

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. BRUCE). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 470

Whereas spina bifida is the most frequently occurring and permanently disabling birth defect of newborns, occurring in one of every one thousand live births in the United States;

Whereas between 1980 and 1989, 18,000 children were born with spina bifida in the United States and of that number 13,500 have survived;

Whereas spina bifida occurs more often than Cystic Fibrosis, Multiple Sclerosis, Muscular Dystrophy, and polio combined;

Whereas spina bifida is a birth defect in the spinal column resulting when the spinal cord fails to close completely during prenatal development;

Whereas spina bifida may result in varying degrees of paralysis, loss of sensation in the lower limbs, and bladder and bowel complications, and often is accompanied by hydrocephalus;

Whereas the cause of spina bifida is not known but the cause appears to be the result of multiple environmental and genetic factors;

Whereas although most of the March of Dimes and Easter Seal poster children have spina bifida, many people across this Nation have not heard of the defect and its debilitating consequences for children;

Whereas only a few cities in the United States have proper care centers and specialized professionals that can provide the most effective, aggressive treatment for children and adults with spina bifida; and

Whereas an increase in the national awareness of the problem of spina bifida may stimulate the interest and concern of the American people, which may lead, in turn, to increased research into the needs of individuals with spina bifida and the prevention of spina bifida: Now, therefore, be it

Resolved by the House of Representatives of the United States of America in Congress assembled, That the month of September 1992 is designated "National Spina Bifida Awareness Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that month with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL SCLERODERMA AWARENESS MONTH

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 445) designating June 1992 as "National Scleroderma Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, and I do not object, I simply would like to inform the

House that the minority has no objection to the legislation now before us.

Mr. DWYER of New Jersey. Mr. Speaker, I rise today to thank my colleagues for cosponsoring House Joint Resolution 445 which designates June as "National Scleroderma Awareness Month."

Scleroderma affects the lives of 300,000 Americans. It is an orphan disease with no cure and no known origin. This disease causes thickening and hardening of the skin due to a build up of collagen. As a matter of fact, the word scleroderma means "stone skin." In severe cases, hardening occurs in joints and body organs leading to decreased mobility and functional impairment.

Scleroderma strikes women four times more often than men often effecting healthy women between the ages of 25 and 55 years old. Women are also at risk due to seepage from silicone breast implants.

Early diagnosis is the key to treating other diseases and scleroderma is no different. Awareness of scleroderma by dermatologists and rheumatologists has grown due to the dedicated efforts of the many scientists working on research.

In addition to the valuable research work of the National Institute of Arthritis, Musculoskeletal and Skin Disease, the Scleroderma Research Foundation has also been providing needed research dollars in the hope that a cure can be found to this often debilitating disease.

Activities and events have been organized around the country to heighten public knowledge about scleroderma as well as make sufferers aware of presence of local scleroderma support groups.

In closing, I would like to thank the membership of the many State and local scleroderma societies for all their work on House Joint Resolution 445 and for all the support they provide to the many Americans afflicted with this disease.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 445

Whereas scleroderma is a disease caused by the excess production of collagen, the main fibrous component of connective tissue, causing hardening of the skin or internal organs such as the esophagus, lungs, kidney, and heart;

Whereas approximately 300,000 people in the United States suffer from scleroderma with women of childbearing age outnumbering men four to one;

Whereas scleroderma is a painful, crippling, and disfiguring disease that is usually progressive and can result in premature death;

Whereas the symptoms of scleroderma are variable, and this variability can complicate and confuse diagnosis of the disease;

Whereas the cause and cure of scleroderma are unknown; and

Whereas scleroderma is an orphan disease for which intensive research is needed to improve treatment and find its cause and cure; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That June 1992 is designated as "National Scleroderma Awareness Month". The President is authorized and requested to issue a proclamation calling on the people of the United States to observe the month with appropriate activities to enhance awareness of the disease and the need for a cure.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just considered and passed.

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

There was no objection.

BLOCKING PROPERTY OF AND PROHIBITING TRANSACTIONS WITH THE FEDERAL REPUBLIC OF YUGOSLAVIA—SERBIA AND MONTENEGRO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. NO. 102-343)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

On June 1, 1992, pursuant to section 204(b) of the International Emergency Economic Powers Act (50 U.S.C. 1703(b)), and section 301 of the National Emergencies Act (50 U.S.C. 1631), I reported to the Congress by letters to the President of the Senate and the Speaker of the House, dated May 30, 1992, that I had exercised my statutory authority to issue Executive Order No. 12808 of May 30, 1992, that declared a national emergency and blocked "Yugoslav Government" property and property of the Governments of Serbia and Montenegro.

On May 30, 1992, the United Nations Security Council adopted Resolution No. 757 calling on member states to impose a comprehensive economic embargo against the Federal Republic of Yugoslavia (Serbia and Montenegro). Today I have taken additional steps to ensure that the economic measures we are taking with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) conform to United Nations Security Council Resolution No. 757 of May 30, 1992.

Specifically, pursuant to the International Emergency Economic Powers

Act (50 U.S.C. 1701, *et seq.*), the National Emergencies Act (50 U.S.C. 1601, *et seq.*), section 1114 of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1514), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3 of the United States Code, I have issued a second Executive order, "Blocking Property of and Prohibiting Transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro)," a copy of which is enclosed.

Among other things, the order that I have issued on this day:

- prohibits exports and imports of goods and services between the United States and the Federal Republic of Yugoslavia (Serbia and Montenegro), and any activity that promotes or is intended to promote such exportation and importation;
- prohibits any dealing by a U.S. person in connection with property originating in the Federal Republic of Yugoslavia (Serbia and Montenegro) exported from the Federal Republic of Yugoslavia (Serbia and Montenegro) after May 30, 1992, or intended for exportation to any country, and related activities;
- prohibits transactions related to transportation to or from the Federal Republic of Yugoslavia (Serbia and Montenegro), or the use of vessels or aircraft registered in the Federal Republic of Yugoslavia (Serbia and Montenegro), by U.S. persons or involving the use of U.S.-registered vessels and aircraft;
- prohibits the granting of permission to any aircraft to take off from, land in, or overfly the United States if that aircraft is destined to land in or take off from the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro);
- prohibits the performance by any U.S. person of any contract in support of certain categories of projects in the Federal Republic of Yugoslavia (Serbia and Montenegro);
- continues to block all property of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), as well as assets of the former Government of the Socialist Republic of Yugoslavia, located in the United States or in the possession or control of U.S. person, including their foreign branches; and
- clarifies the definition of the Federal Republic of Yugoslavia (Serbia and Montenegro).

Today's order provides that the Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of rules and regulations,

as may be necessary to carry out the purposes of the order.

The declaration of the national emergency made by Executive Order No. 12808 remains in force and is unaffected by today's order.

GEORGE BUSH.

THE WHITE HOUSE, June 5, 1992.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain further 1-minute requests.

JOHN DEMJANJUK: RETIRED AUTOWORKER FROM CLEVELAND

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

Mr. TRAFICANT. Mr. Speaker, today, finally, a Federal appeals court has reopened the extradition case of John Demjanjuk, convicted of being Ivan the Terrible of Treblinka. The Federal court has reopened the extradition proceedings because of the fact that an Israeli prosecutor has admitted for the first time there is doubt as to whom Ivan really is.

Mr. Speaker, there is doubt, all right, enough doubt to drive a whole truckload of constitutions through, enough doubt to drown the Bill of Rights in.

Evidence now supports the fact that Ivan the Terrible of Treblinka was Ivan Marchenko, not John Demjanjuk, the retired autoworker from Cleveland.

Mr. Speaker, the tragedy is that Congress did not have the guts to see the obvious, afraid of the sensitivity of this case. Mr. Speaker, when Congress allows the rights of one American citizen to be jeopardized, Congress ultimately endangers the rights of all American citizens. Ivan Marchenko is Ivan Grosnik, the infamous Ivan of Treblinka. John Demjanjuk is a retired autoworker from Cleveland and formerly a citizen of our country.

It is time for Congress to review this matter and to right this great wrong.

WORK FOR ECONOMY AND ENVIRONMENT

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

Mr. GOSS. Mr. Speaker, as the global environmental conference in Rio unfolds to a world audience, let us remember that wise use of our natural resources does not have to be in conflict with smart economic policy. It is a shame that the debate over environmental policy so often becomes a polarizing one—with progrowth forces lining up in direct opposition to proconservationists. The truth is, as

President Bush has said, we need to embrace policies that shore up our economy while preserving our natural heritage. Mr. Speaker, these two goals are not only compatible, they are inextricably linked. Without a sound economy we will never be able to ensure protection for our resources—just look at what's happened in the past in places like eastern Europe, Brazil, and Mexico. Their experience shows what happens when environment is sacrificed for economy, and it also shows that without responsible stewardship over our natural resources it will be impossible to sustain economic growth. Mr. Speaker, President Bush recognizes these facts and has stepped up to challenge of leading the U.S. delegation to UNCED. I hope this Congress will stand ready to support his efforts.

KUWAIT IS REWRITING THE HISTORY BOOK

(Mrs. SCHROEDER asked and was given permission to address the House and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, if there ever was a reason why we need burden sharing, you could see it today on the wire service when you saw what the leadership of Kuwait said about Desert Storm. When you see one of the leaders of Kuwait saying America "did not come to bring back our country, if it were not for the wisdom of our government," meaning the Kuwaiti Government, "and the help of Saudi Arabia, the Gulf Cooperation Council, Egypt and Syria, Kuwait would not have been liberated." Well, there is an interesting rewriting of history.

I think, again, this points out what happens when the leadership of Kuwait sat out that war, in exile, in wonderful, wonderful hotels around the world, while our service men and women went in to reclaim that country.

They have been turning their nose up at democracy, and now they turn up their nose at the American men and women sent there to reclaim their country.

I think we should get an apology. I must say I am absolutely outraged by this statement.

KYL-ALLEN AMENDMENT IS THE BEST APPROACH FOR A BALANCED BUDGET AMENDMENT

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

Mr. ALLEN. Mr. Speaker, ladies and gentlemen of the House, next week this body will be voting on a constitutional amendment to require a balanced budget. We need to consider carefully the contents of the versions that will be before this House.

We have the Stenholm-Smith amendment, we have the Barton-Miller

amendment, and we have the Kyl-Allen amendment. We have to make certain that we adopt the best amendment, with enforcement mechanisms and discipline to thwart increased taxation and spending.

Now let us look at the way the taxpayers and discipline will be approached in the various ideas.

It is my view the Kyl-Allen approach is the best because, No. 1, it limits spending to 19 percent of the gross national product, which will encourage growth, positive growth, economic growth policies in this country.

Second, the Kyl-Allen amendment requires a three-fifths' vote to increase spending or to increase the tax burden on the American people.

And lastly, unique to the Kyl-Allen amendment is that we give the President the power that 43 Governors have, which is the line-item veto, to single out wasteful pork-barrel projects.

Let us look at the contents of these three amendments. Best protection for the taxpayers, the one with the best enforcement mechanism, and the best discipline on a profligate Congress is the Kyl-Allen amendment, and I hope my colleagues will support it next week.

INTRODUCTION OF LEGISLATION TO AUTHORIZE APPROPRIATIONS FOR CANCER-RELATED RESEARCH

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

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing legislation to authorize funding for important cancer research. I hasten to point out that this legislation tracks level of funding contemplated in H.R. 2507 but is absent other unrelated controversial provisions which will certainly draw a veto.

This legislation authorizes for fiscal year 1993 \$2.2 billion for cancer research including \$325 million for breast cancer research and education and \$75 million for gynecological cancers such as cervical and ovarian cancers. My interest in cancer research is personal and compelling. My own mother suffered from lung cancer, an insidious disease, that imposed on her an ordeal of pain and frustration. A few years ago, my Mom had one of her cancer-infested lungs removed—a harrowing experience that shook each member of our family to our very core. Thank God, she is doing well today, heroically persevering with grace and dignity with only one lung. However, my wife's mother, Helen, wasn't as fortunate and suffered an untimely and heart-breaking death as a result of breast cancer. And my cousin, Sue—who is an activist in the breast cancer cause—underwent a radical mastectomy while in

her thirties. Because of her indomitable will, prayer, and modern medicine, she is today a champion swimmer in Florida.

Mr. Speaker, every family in the United States can expect to experience the effects of breast cancer. With an overall incidence of 1 in every 9 women, 180,000 women will be diagnosed with breast cancer in 1992, and 46,000 women will die as a result of this disease. The fiscal year 1993 authorization for breast cancer is well over two times the previous year's allotment and would also provide an additional \$1 million for a special study to determine the factors accounting for the high incidence of breast cancer in certain States, including New Jersey.

This legislation also authorizes \$72 million for research related to prostate cancer, a cancer seriously affecting men. In 1992 alone, 132,000 new cases of prostate cancer will be diagnosed. This cancer, too, has hurt my family. My father-in-law underwent surgery to excise this terrible cancer.

I hope that this legislation will receive quick bipartisan consideration so that we can offer real hope to those afflicted with these debilitating and often deadly cancers.

□ 1450

FOREIGN GOVERNMENTS' SILENCE U.S. STEEL INDUSTRY

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

Mrs. BENTLEY. Mr. Speaker, newspaper stories in January reported the miseries of the U.S. steel industry announcing layoffs in the major companies. Recently, some of those same companies filed a dumping complaint against the Japanese. But the Japanese Digest reports that European and Japanese steelmakers were "complaining bitterly about the barrage of dumping complaints by U.S. mills." Our U.S. Trade Representative, Carla Hills, obliged them and "quietly told the Americans to knock it off."

It is reported that Ambassador Hills "saw the chairmen of USX, Bethlehem, LTV, Inland, and Armco Steel separately, and asked them to postpone any more complaints they are contemplating and to withdraw those already filed when negotiations resume on a new multilateral steel pact." Because there is Japanese money in the American steel industry, one Japanese steelmaker reportedly said, "In the world of steel, Japanese are American and Americans are Japanese as well."

You better not tell an American citizen that.

INTRODUCTION OF THE ANTI-NATIONAL HEALTH INSURANCE ACT

(Mr. DREIER of California asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, I take this 1 minute simply to inform my colleagues that today I introduce a very important piece of legislation, H.R. 5335. It is entitled "The Anti-National Health Insurance Act."

Now one might conclude from that that I am not a proponent of trying to deal with the health care crisis which we have in this Congress and in this country, but actually the opposite is the case.

Mr. Speaker, this bill is designed to move toward market-oriented approaches to deal with this very serious and pressing problem that we have of the delivery of high quality and cost effective health care.

I hope that our colleagues will look at this and cosponsor H.R. 5335.

THE VERY MOVING SPEECH OF GABRIELA RODRIGUEZ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 5 minutes.

Mr. DREIER of California. Mr. Speaker, I have taken this special order to focus some attention on an issue which we all saw in the national and international news just a month ago, and that was the horrendous rioting that took place in south central Los Angeles and other cities in this country in the wake of the verdict of the Rodney King beating trial.

The week following the riots, in south central Los Angeles, Michael Jackson, who is a host on a radio station in Los Angeles called KABC, decided that he would travel to high schools throughout south central Los Angeles to try and get at the root of this problem and talk to young people to see what their sense was of the situation in the wake of the verdict, and the looting and rioting which took place in their communities. It was a very interesting week.

I, of course, being here in Washington, did not get to hear a lot of it, but I remember one morning, while en route to the Los Angeles International Airport, I had it on and heard some of the most moving statements from young students at the high schools in south central Los Angeles. I came back at the end of that week and was a participant on his program, and he had just finished at one of the high schools the day before, and he did a recapitulation of some of the statements that had been made during the week at the different high schools.

I was really taken, just before I went on the air, to hear, by tape, a statement that was made by a young student who is the student body president at Compton High School. Her name is Gabriela Rodriguez, and she appeared on the May 12 program. A senior, she is

a member of her high school's Academic Decathlon and Speech teams, as well as the Gifted and Talented Education Program. Gabriela was one of two students who qualified for the Golden State Examination Honors List. She has been accepted to attend Stanford University next year, and is the first person in her family to graduate from high school.

Mr. Speaker, the statement she made was very moving, and there was no way that I could ever carry the emotion which Gabriela offered at Compton High School here on the floor of the Congress. But I did say that I wanted to have my colleagues and those in the C-SPAN audience hear this message which she provided, and I would like to read it for my colleagues now. Gabriela stood up and said:

Listen to me. I hear anger, pain, and frustration. Fine, you can feel all of that, but you can't advocate violence. You can't advocate separating from the community. We all are one. Unite!

Stop thinking, well, we need to separate ourselves from that. We've got to come together, we've got to stop the violence. You can't have justice if you're going to create injustice in order to get that. You can't demand something when you yourself are not worthy of it.

Okay, you're saying all along we've been mistreated. What are we going to do? Go out and mistreat someone else in order to get the respect that we're proving we don't deserve. If I want Claudia to respect me (the girl right in front of me), I'm not going to go up to her and shove my fist down her throat.

I'm tired, all week long, since the Rodney King strike started. At school, I come back to people who I thought were my friends. I care about you guys and I know you care about your race and your community too. And you advocate concern. But you can't be concerned when you're being violent. You won't solve anything.

I got to work and there, too, my boss breaks down and cries because her neighborhood has burned down because all she hears all around is, "Hey, I can't deal with it." I go home and I've got to deal with the same thing on television. My mom, she's saying, "it's them against us, it's us against them." It's not that way! It doesn't have to be that way! If that's the way you see it, unite!

Stop the violence is all I ask! Stop racism. Give me some peace!

Now, Mr. Speaker, that was an incredible message and it has played a role in strengthening my resolve to try and bring about the kind of growth package which this country desperately needs to deal with the inner city.

Mr. Speaker, the creation of jobs is key to dealing with this crisis. We have a crisis of alienation. We have seen the success of gangs. We have seen the success of other movements which have created trouble because people have been alienated from their families, from their government, and I hope very much that this statement and our successful efforts to implement enterprise zones, to implement the opportunity for those in urban areas to own their own homes rather than living in sub-

standard public housing, and the opportunity to implement the package which I have introduced, H.R. 5101, which will take the minority set-aside program and create a chance for those in urban areas to take advantage of it; if we could implement those things, I am convinced that we can get at the base of this problem.

□ 1500

ANNOUNCING THE FIRST NEVILLE CHAMBERLAIN AWARD FOR THE SELLING OF AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, yesterday I reported on a story in the Sunday Outlook section of the Washington Post of May 31, 1992, a report, written by Susan Tolchien on the possible sale of LTV to the French-owned Thomson CSF Co.

Testimony had been given to a Senate committee by the DOD counsel assuring the Senators that were Thomson to buy LTV, walls would be placed around LTV's defense business " * * * preventing Thomson from being other than a passive investor.

The story continues that former Secretary of Defense, Frank Carlucci, a principal in the sale—understanding that his action could be a "deal bust-er"—left the room, called DOD, and "appeared on the witness stand less than an hour later with the Defense Department's guarantees revoked."

I said, and I quote, "This is an absolutely outrageous action—exposing to the world—the power of supposedly former officials to run roughshod over duly appointed Agency heads and the concerns of the House and the Senate."

I suggested to the House that such power should not go unrecognized, or unrewarded.

Tonight, I would like to recognize Mr. Frank Carlucci's efforts to sell off part of the critical defense base of the United States to a foreign company—60 percent owned by the Government of France. I name former Secretary of Defense Frank Carlucci to receive the first Neville Chamberlain Award for striving to give us economic peace in our time, no matter the cost to the future of the Nation.

To some of you in the audience, who wonder why the award is a black umbrella, during the World War II period the photo caught forever in the memory of all of us growing up at that time—the picture which symbolized the sellout of the defenseless nation of Czechoslovakia to Hitler, by the British Prime Minister, to achieve "peace in our time"—was the film of Prime Minister Chamberlain with black umbrella under his arm returning to England from the Munich meeting with Hitler.

Poland was attacked before a year was out and Great Britain and France gained only a little breathing time, at a terrible cost to the rest of Europe.

I would hope my new award strikes to the heart of what we have been experiencing in this country over the last two decades of selling off chunks of this great Nations' industrial base—both commercial and defense—in order to run a few more dollars through the gross national product, no matter the cost to our workers and our children, to our living standard, and to our very sovereignty.

Chamberlain gave away the Czechs—the recipients of the black umbrella award are selling off our wealth-producing industries.

I believe it should be noted and the names of the people who have been responsible for these sales should be recorded in some official way.

This is only the first award. I fear, unfortunately, there will be others.

To the first winner, an umbrella enscribed: "the Neville Chamberlain Award to Frank Carlucci for the Selling of America."

FISCALLY SOUND GOVERNMENT NECESSARY FOR FUTURE OF COUNTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I rise now because next week we are going to be talking about the balanced budget probably more than ever we want to hear. President Bush started that discussion last night by taking to the airways and encouraging all Members to vote for the balanced budget.

Mr. Speaker, I sit on the Committee on the Judiciary, and the whole balanced budget issue has been a very difficult one. We have had many, many hearings about the balanced budget.

We also know how very difficult it is to make those decisions. People talk about State government having balanced budgets, and they are absolutely right. They do have those amendments. But State governments do not protect democracies, they do not have to worry about wars, they do not have to worry about huge depressions. So they have different criteria than what the Federal Government is supposed to do.

But I must say what I saw happening last night on television by the President saddened me very much, because I think it is an indication of what we are going to hear next week. People want to push and push and push for adoption of a balanced budget amendment, and we really ought to be pushing for the adoption of a balanced budget amendment. It is amazing that we push so hard, but we never produce one.

I look at President Bush, and he has been either having his own administra-

tion or part of an administration for 12 years, and it has never happened under him. I must say in the House of Representatives we have not produced one, nor has the other body. So we keep seeing all these different ideas and gimmicks for what would make us do a balanced budget, and yet somehow we cannot make ourselves do a balanced budget.

I think one of the biggest problems we have is we have created a system where irresponsibility is what is rewarded. Think about it. In any other county if a prime minister appears in front of the parliament and comes in with a budget that he cannot get the parliament to agree to, the government falls.

When you think about that, every year for the last 12 years the Government would have fallen. This year President Bush got more votes for his budget than anyone has in a long time. He got 40 votes. That is not a majority, and, again, the Government would have fallen.

So we see a Chief Executive who cannot produce a budget that can get a majority on their side, much less a balanced budget.

Then our side goes out and we have the same problem. We have many Members who voted for no budget at all. I must say the only thing worse than having a budget is not having a budget. Yet politically the best thing to do is not vote for any budget, blame them all, and say you are for a better one, somewhere out there. However, you have not produced it.

I think that that is what the American people are so frustrated about. They are becoming more and more aware that we have this system in which irresponsibility is what is rewarded, and not responsibility.

I think, too, that on many of these issues, we are beginning to see them more and more as fig leaves. If we want to do a balanced budget, if we really want to move forward toward fiscally responsible government, that is what we should be doing.

Today we had a \$294 billion defense budget on the floor. Many Members voted against it because it was not enough, if you can imagine that.

Defense is 57 percent of what we have in discretionary spending. So if you are really going to do a balanced budget, you are going to have to cut a whole lot more than the \$7 billion to \$9 billion that we were talking about today.

So I hope people will look at this discussion we are about to embark on next week. I must say what I heard last night on television and what I saw happening on this floor for about half an hour says to me we are still not going to get there. We are still very apt to have strong partisan debate about this.

We are supposed to be very irresponsible, and the one that is most irresponsible and the one that can flow the

most rhetoric around the floor will probably be whoever looks like is winning the debate. Meanwhile, the country loses the war on getting on with some kind of fiscally sound government for the future and for our children.

Mr. Speaker, I really think this is a very critical and important issue, and I hope we can begin next week on a little better tone than we end this week on and get on with what people want so desperately to have happen.

CURRENT LEVEL OF SPENDING AND REVENUES FOR FISCAL YEARS 1992-1996

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, on behalf of the Committee on the Budget and as chairman of the Committee on the Budget, pursuant to the procedures of the Committee on the Budget and section 311 of the Congressional Budget Act of 1974, as amended, I am submitting for printing in the CONGRESSIONAL RECORD the official letter to the Speaker advising him of the current level of revenues for fiscal years 1992 through 1996 and spending for fiscal year 1992. Spending levels for fiscal years 1993 through 1996 are not included because annual appropriations acts for those years have not been enacted.

This is the seventh report of the 102d Congress for fiscal year 1992. This report is based on the aggregate levels and committee allocations for fiscal years 1992 through 1996 as contained in House Report No. 102-69, the conference report to accompany House Concurrent Resolution 121.

The term "current level" refers to the estimated amount of budget authority, outlays, en-

titlement authority, and revenues that are available—or will be used—for the full fiscal year in question based only on enacted law.

As chairman of the Budget Committee, I intend to keep the House informed regularly on the status of the current level.

COMMITTEE ON THE BUDGET,
Washington, DC, June 3, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: To facilitate enforcement under sections 302 and 311 of the Congressional Budget Act, as amended, I am herewith transmitting the status report on the current level of revenues for fiscal years 1992 through 1996 and spending estimates for fiscal year 1992, under H. Con. Res. 121, the Concurrent Resolution on the Budget for Fiscal Year 1992. Spending levels for fiscal years 1993 through 1996 are not included because annual appropriations acts for those years have not been enacted.

The enclosed tables also compare enacted legislation to each committee's 602(a) allocation of discretionary new budget authority and new entitlement authority. The 602(a) allocations to House Committees made pursuant to H. Con. Res. 121 were printed in the statement of managers accompanying the conference report on the resolution (H. Report 102-69).

Sincerely,

LEON E. PANETTA,
Chairman.

REPORT TO THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1992 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 121

REFLECTING COMPLETED ACTION AS OF JUNE 2, 1992

(On-budget amounts, in millions of dollars)

	Fiscal year—	
	1992	1993-96
Appropriate level:		
Budget authority	1,269,300	6,591,900

DIRECT SPENDING LEGISLATION

[Fiscal years, in millions of dollars]

	1992			1992-96		
	Budget authority	Outlays	New entitlement authority	Budget authority	Outlays	New entitlement authority
House committee:						
Agriculture:						
Appropriate level	0	0	0	3,720	3,540	4,716
Current level	-2	-2	-1	-1	-1	(1)
Difference	-2	-2	-1	-3,719	-3,539	-4,716
Armed Services:						
Appropriate level	0	0	0	0	0	0
Current level	0	-7	-7	0	-83	-83
Difference	0	-7	-7	0	-83	-83
Banking, Finance and Urban Affairs:						
Appropriate level	0	0	0	0	0	0
Current level	28	28	0	177	177	0
Difference	+28	+28	0	+177	+177	0
District of Columbia:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Education and Labor:						
Appropriate level	0	0	56	0	0	20,153
Current level	0	0	0	0	4	0
Difference	0	0	-56	0	+4	-20,153
Energy and Commerce:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Foreign Affairs:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Government Operations:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
House Administration:						
Appropriate level	0	0	0	0	0	0

REFLECTING COMPLETED ACTION AS OF JUNE 2, 1992—

Continued

(On-budget amounts, in millions of dollars)

	Fiscal year—	
	1992	1993-96
Outlays	1,201,600	6,134,100
Revenues	850,400	4,832,000
Current level:		
Budget authority	1,268,925	NA
Outlays	1,205,217	NA
Revenues	853,364	4,829,000
Current Level over(+)/under(-) appropriate level:		
Budget authority	-375	NA
Outlays	+3,617	NA
Revenues	+2,964	-3,000

Note.—NA=Not applicable because annual appropriations acts for those years have not been enacted.

BUDGET AUTHORITY

Any measure that provides new budget or entitlement authority for fiscal year 1992 that is not included in the current level estimate, and that exceeds \$375 million in budget authority for the year, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in H. Con. Res. 121, to be exceeded.

OUTLAYS

Any measure that (1) provides new budget or entitlement authority that is not included in the current level estimate for fiscal year 1992, and (2) increases outlays in fiscal year 1992, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in H. Con. Res. 121, to be exceeded.

REVENUES

Any measure that would result in a revenue loss that is not included in the current level revenue estimate and exceeds \$2,964 million for fiscal year 1992, if adopted and enacted, would cause revenues to be less than the appropriate level for that year as set forth in H. Con. Res. 121. Any measure that would result in a revenue loss that is not included in the current level revenue estimate for fiscal years 1992 through 1996, if adopted and enacted, would cause revenues to be less than the appropriate level for those years as set forth in H. Con. Res. 121.

DIRECT SPENDING LEGISLATION—Continued
[Fiscal years, in millions of dollars]

	1992			1992-96		
	Budget authority	Outlays	New entitlement authority	Budget authority	Outlays	New entitlement authority
Current level	0	0	0	0	0	0
Difference						
Interior and Insular Affairs:						
Appropriate level	0	0	0	0	0	0
Current level	-2	-2	0	5	5	0
Difference	-2	-2	0	+5	+5	
Judiciary:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	16	16	16
Difference				+16	+16	+16
Merchant Marine and Fisheries:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	(¹)	0	0	(¹)
Difference			(¹)			(¹)
Post Office and Civil Service:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference						
Public Works and Transportation:						
Appropriate level	16,358	0	0	117,799	0	0
Current level	18,514	0	0	113,048	0	0
Difference	+2,156	0	0	-4,751	0	0
Science, Space, and Technology:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference						
Small Business:						
Appropriate level	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference						
Veterans' Affairs:						
Appropriate level	0	0	484	0	0	6,811
Current level	-3	2	378	-4	15	2,182
Difference	-3	+2	-106	-4	+15	-4,629
Ways and Means:						
Appropriate level	0	0	0	0	0	620
Current level	7,036	7,036	8,036	7,458	7,458	9,098
Difference	+7,036	+7,036	+8,036	+7,458	+7,458	+8,478
Permanent Select Committee on Intelligence:						
Appropriate level	0	0	0	0	0	0
Current level	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Difference	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)

¹Less than \$500,000.

DISCRETIONARY APPROPRIATIONS, FISCAL YEAR 1992
[In millions of dollars]

	Revised 602(b) subdivisions		Latest current level		Difference	
	BA	0	BA	0	BA	0
Commerce-Justice-State-Judiciary	21,070	20,714	21,007	20,706	-63	-8
Defense	270,244	275,222	262,763	272,658	-7,481	-2,564
District of Columbia	700	690	700	690	0	0
Energy and water development	21,875	20,170	21,870	20,718	-5	-52
Foreign operations	15,285	13,556	14,295	13,449	-990	-107
Interior	13,102	12,050	13,077	12,186	-25	136
Labor, Health and Human Services, and Education	59,087	57,797	59,074	57,832	-13	35
Legislative	2,344	2,317	2,303	2,270	-41	-47
Military construction	8,564	8,482	8,427	8,413	-137	-69
Rural development, agriculture and related agencies	12,299	11,226	11,285	11,220	-14	-6
Transportation	13,765	31,800	13,752	31,798	-13	-2
Treasury-Postal Service	10,825	10,825	10,824	11,119	-1	-1
VA-HUD-independent agencies	63,953	61,714	63,315	61,707	-638	-7
Grand total	513,113	527,458	503,692	524,766	-9,421	-2,692

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE
Washington, DC, June 3, 1992.
Hon. LEON E. PANETTA,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current levels of new budget authority, estimated outlays, and estimated revenues for fiscal year 1992 in comparison with the appropriate levels for those items contained in the 1992 Concurrent Resolution on the Budget (H. Con. Res. 121). This report is tabulated as of close of business June 2, 1992, and is summarized as follows:

[In millions of dollars]

	House current level	Budget resolution (H. Con. Res. 121)	Current level +/- resolution
Budget authority	1,268,925	1,269,300	-375
Outlays	1,205,217	1,201,600	+3,617
Revenues:			
1992	853,364	850,400	+2,964
1992-96	4,829,000	4,832,000	-3,000

Since my last report, dated May 6, 1992, the Congress has cleared and the President has signed a bill extending certain expiring veterans' programs (P.L. 102-291). The Congress has also cleared for the President's signature H.R. 4990, the rescission bill for 1992. These actions changed the estimates of budget authority and outlays.

Sincerely,

ROBERT D. REISCHAUER,
Director.

PARLIAMENTARIAN STATUS REPORT 102D CONG., 2D SESS., HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1992 AS OF CLOSE OF BUSINESS JUNE 2, 1992

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			853,364
Permanents and other spending legislation	807,617	727,237	
Appropriation legislation	686,331	703,643	
Mandatory adjustments ¹	(1,208)	950	
Offsetting receipts	(232,542)	(232,542)	
Total previously enacted²	1,260,198	1,199,288	853,364
ENACTED THIS SESSION			
Emergency Unemployment Compensation Extension (Public Law 102-244)	2,706	2,706	
American Technology Preeminence (Public Law 102-245)			(¹)
Further Continuing Appropriations, 1992 (Public Law 102-266) ⁴	14,178	5,724	

PARLIAMENTARIAN STATUS REPORT 102D CONG., 2D SESS., HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1992 AS OF CLOSE OF BUSINESS JUNE 2, 1992—Continued

	Budget authority	Outlays	Revenues
Extend certain expiring veterans' programs (Public Law 102-291)	(4)	(4)	
Total enacted this session	16,881	8,427	
CONFERENCE AGREEMENTS RATIFIED BY BOTH HOUSES			
1992 Rescissions (H.R. 4990)	(8,154)	(2,499)	
MANDATORY ADJUSTMENTS ¹			
Technical Correction to the Food Stamp Act (Public Law 102-265)	(2)	(2)	
Total current level	1,268,925	1,205,217	853,364
Total budget resolution	1,269,300	1,201,600	850,400
Amount remaining:			
Over budget resolution		3,617	2,964
Under budget resolution	375		

¹ Adjustments required to conform with current law estimates for entitlements and other mandatory programs in the concurrent resolution on the budget (H. Con. Res. 121).

² Excludes the continuing resolution enacted last session (Public Law 102-145) that expired Mar. 31, 1992.

³ Less than \$500,000.

⁴ In accordance with section 251(a)(2)(D)(i) of the Budget Enforcement Act the amount shown for Public Law 102-266 does not include \$107,000,000 in budget authority and \$28,000,000 in outlays in emergency funding for SBA disaster loans.

Note.—Amounts in parenthesis are negative.

THE NEED TO SPEED THE SETTLEMENT OF CLAIMS UNDER THE NATIONAL VACCINE INJURY COMPENSATION PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. Speaker, today I am introducing a bill which would correct an injustice facing applicants to the National Vaccine Injury Compensation Program.

This program established an office of special masters within the U.S. Claims Court who decide how to compensate children injured by vaccination.

It was established in 1986 because of the existing tort system's inability to speedily resolve the complex liability issues involved in vaccine-related injuries. Mr. WAXMAN, whose Subcommittee on Health and the Environment held hearings on the bill, explained the purpose of the bill during a July 25, 1986 hearing:

Because of the limitations of the current tort law and adversary proceedings, many of those children who are injured by vaccines are never compensated. We cannot afford to price vaccines out of the market or to let injured children go unattended. Either result will end the success of the immunization program.

Unfortunately, this is exactly what is happening today because the law limits the number of special masters administering the program to only eight.

There does not seem to have been an overriding governmental concern in picking the number eight. No testimony was taken to determine it. The committee and the court guessed at the number based on the relatively few cases before the court at that time.

Due to the overwhelming demand for relief under this program, eight special masters are

not enough. Today the special masters face a tremendous backlog of cases which will take them many months or even years to settle.

For most of the children who need compensation from this program, this is too long to wait. Families are going bankrupt, selling their houses, and going into debt to pay for the costs of treating their children for vaccine-related injuries while they wait for their cases to be settled.

My legislation simply changes one tiny part of the act to allow the Claims Court to appoint as many special masters as it needs to resolve the backlog of long pending cases.

Justice delayed for these families is justice denied. Please join me in this effort to correct this situation and bring a speedy resolution to the large backlog of vaccine-injury cases before the program's special masters.

CONGRESSIONAL DEADLOCK AND THE RISE OF ROSS PEROT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I will not use all of my time, but I do want to talk for a few minutes about congressional deadlock and the rise of Ross Perot, because I think they are directly related. I think it is frankly a fascinating phenomenon, and the activity of this week and next week I think tells a lot about why the American people are desperate for change.

There is an article in the Wall Street Journal this morning by Paul Gigot. He cites a CBS news poll in which the American people were asked does the government need fundamental change, does it need complete rebuilding, or does it need minor changes.

□ 1510

Fifty-one percent of the American people said Washington and the American Government need fundamental change. Thirty-four percent said we need to completely rebuild the American Government. Only 14 percent said we need minor changes.

When the American people, by 85 percent, believe Government has to change, I think we in public life have an obligation to listen to them, to try to understand what they are saying, and to try to see what it is in Government that they want changed.

I must say, I rise today as the second ranking Republican leader with a very deep sense of frustration. We have been trying to bring to the floor of the House a series of bills that would involve change. We have been trying to bring up a series of bills that we believe would be helpful.

I thought after the riots and the looting in Los Angeles that there was a possibility for genuine bipartisanship, that there was a chance to work together, that possibly we could put the country above politics and we could work on real problems. I have to say on

this particular Friday, 5 weeks after the riots, I am very discouraged and very frustrated by a system that just seems determined to self-destruct.

I want to talk briefly about creating jobs through enterprise zones, about helping small business, about creating jobs across the whole country so that we can get out of this recession, about controlling spending, and about a system here in Congress by which the Democratic leadership simply refuses to be fair and simply refuses to allow the American people to have an opportunity to watch their Representatives vote on real issues.

Let me start with what for me, I guess, was the last straw. We are going to bring up a Democratic unemployment bill next week. It is going to be very expensive. It is going to be over-budget. It is not going to pay for itself in the first 4 years, and it is going to do nothing, zero to create new jobs.

I came to the floor in August. I came back to the floor in October and November, and I said again and again, if all we do is pass unemployment extension, but we do not create any new jobs and the economy stays in recession, then we are going to be right back here again passing another unemployment bill.

What most Americans want is not a Government handout. It is not an unemployment check. What most Americans want is a chance to create jobs. So the Republicans on the Committee on Ways and Means, working with President Bush and the White House, developed an alternative unemployment bill. We have built into our unemployment bill the real answer to unemployment, which is to create jobs. This is a point that former Senator Paul Tsongas kept trying to explain in his campaign for President, the real answer to unemployment is jobs. It is not a Government check.

We wrote into our bill a \$4,000-credit for first-time home buyers. This is in H.R. 5260, the Unemployment Compensation Amendments of 1992.

In H.R. 5260, we have a \$4,000 tax credit for first-time home buyers, whether they are buying a new home or a previously existing home, but it allows them to go out and buy a new home. That is important because if they already have a house and they want to move up, they cannot move up if they cannot sell their house. So it improves the property value of every home in America. It increases the market and, in fact, one study suggests that this tax credit by itself would create 125,000 new jobs.

One would think that the Democratic leadership would like to help young couples buy their first home. They would like to help the home builders go out and employ carpenters and plumbers and electricians and buy products and buy appliances and buy timber. One would think that they would want

to create an opportunity for realtors to sell homes. So we had a \$4,000-tax credit for first-time home buyers.

Second, we included the Passive Loss Relief Act. This is a bill already introduced on a bipartisan basis, supported by Democrats and Republicans alike, widely considered by the real estate industry as the most important single bill that could be passed for the real estate industry; 338 Members of the House cosponsor this bill.

This is not some recent brand-new, made-up legislation. It has 338 cosponsors, including well over 150 Democrats. It is a very popular, widely supported bill. We included it. As I said, 338 Members have told their real estate members, their realtors, their folks back home, "I am for this bill, I am co-sponsoring it."

Third, we included a series of tax credits, tax provisions that were about to expire on June 30.

We included things like the employer-provided educational assistance, group health services, health insurance for the self-employed, mortgage revenue bonds, small issue industrial development bonds, the research and experimentation tax credit, the orphan drug tax credit. All of these are very important provisions which are going to expire.

All of these have Members who know how important they are. They have, for example, cities and towns and counties across America who understand the importance of mortgage revenue bonds and small issue industrial development bonds. They have every high-technology company in America that uses the research and experimentation tax credit. They have every person who suffers from a rare disease and who knows that the orphan drug tax credit encourages the pharmaceutical industry to develop drugs specifically to help them.

So we said, let us not let these expire. Let us continue these provisions so people can continue to do the right things to create jobs in America.

In addition, we indexed capital gains for the future for new assets. We said, never again, if a person saves and invests, never again will they pay taxes on inflation.

Today if one works hard and one is frugal and one has a small business and one invests a little bit in that business, when they finally sell the business, they have to pay tax on the inflation. They have to pay tax on value that is not real. It is just paper. So we put in indexing capital gains for new assets.

Finally, we repealed the luxury tax on boats. I do not have the exact number of cosponsors, but there are a tremendous number of Members who have agreed to repeal the excise tax on boats because it kills jobs. We now know that by raising the excise tax on new boats, all we did was drive the boat industry offshore to places like the Bahamas

and the Caribbean and Europe, and we put American workers out of work.

Job creation by a \$4,000 tax credit for first-time home buyers, job creation by helping realtors with passive loss relief, job creation by extending key tax provisions, including research and experimentation, orphan drugs, industrial development bonds, mortgage revenue bonds, health insurance for the self-employed, job creation by repealing the excise tax on boats.

We met the rules. This bill over 5 years not only does not cost anything, it raises \$2 billion. It is actually better than current law, and we went to the Committee on Rules on behalf of all the Republicans in the House, on behalf of the President and his administration, and we got zero. The Democratic leadership will not even allow us to offer this on the floor. I think because they know if it was offered on the floor, it would pass. With 338 cosponsors, the passive loss relief bill by itself, this bill would go through the House by a huge margin.

So what does the Democratic leadership do? They strangle every Representative who wants to pass each of these bills, and they do not even allow it to come up. So there is no fair competition. Then we wonder why so many people favor Ross Perot.

I have to say, I am so sick of serving in an institution in which the rules are rigged, the game is stacked, the whole process is patently, consistently, routinely unfair, that it is no wonder the average American watching this building fail to do its job is looking desperately for real change.

□ 1520

Let me give you an example. The National Association of Realtors, representing literally millions of people across the country, wrote the Committee on Rules on June 3 and said the following:

DEAR MR. CHAIRMAN: When the Rules Committee considers H.R. 5260, the Unemployment Compensation Amendments of 1992, we respectfully urge you to make in order the Republican Leadership substitute to be offered by Representative Archer.

The National Association of Realtors supports the spirit and goals of extending the expiring supplemental unemployment benefits program and revamping the existing unemployment taxation system.

We also believe, however, that Congress should include in this legislation a jobs creation component that will help put hundreds of thousands of Americans back to work. Historically, the housing and real estate industry has led the nation out of recession and on the path to sustained economic growth. Over the past six months, however, the industry has experienced fits and starts, at times leading us to believe we are on the path to economic recovery and growth only to stumble again the following month.

In our industry, which we believe reflects the economy as a whole, we are experiencing precious few pockets of prosperity across the country. The prevalent mood in real estate—both residential and commercial—can be

best characterized with the words uncertainty and concern.

For these reasons, the National Association of Realtors feels that the legislative proposal being offered by Representative Archer represents a much-needed and long awaited Congressional response to the fundamental problems confronting the industry.

The tax components contained in Representative Archer's proposal include:

A \$4,000 tax credit for all first-time buyers of new and existing homes. NAR concludes this credit would create an estimated 325,000 new jobs.

H.R. 1414, the passive loss corrections bill designed to restore order to volatile real estate markets and stabilize local tax bases that rely so heavily on real estate values to provide a long list of community services. This legislation is cosponsored by more than 330 House Members and a similar provision was contained in the bill passed by the House in March.

Extension of mortgage revenue bonds/mortgage credit certificates program. This is an effective provider of home ownership opportunities for Americans of modest income. Again, this legislation enjoys the cosponsorship of an overwhelming majority of the House and was included in the tax bill passed by the House in March.

Indexation of capital gains applied to assets purchased after January 1, 1993 that have been held for at least 2 years. This provision would ensure that capital gains tax would apply only to real gain and not that resulting from inflation. A similar provision was included in the tax bill passed by the House in March.

In conclusion, we would reiterate our strong support for the alternative being offered by Representative Archer and respectfully urge the Committee to make in order this proposal, many of the components recently passed on the House floor. It is essential that these provisions of great merit and need which also enjoy strong bipartisan support not fall victim once again to the availability of a narrowly and specifically crafted legislative vehicle.

Sincerely,

DORCAS HELFANT,
President.

Mr. Speaker, what does that mean? It means that the Democratic leadership, which could not defeat this legislation in a fair vote, will simply write a rule to cheat every American of a chance to see that vote and to force us to vote only on their particular legislation, which does not provide for one single new job, for one single new house to be sold, for one single realtor to take passive loss, for one single business to take the research and experimental tax credit.

Let me carry it a stage further. It was not bad enough that we could not bring up a very serious, well thought out bill to create jobs, supported, parts of it, by over 330 Members. That was not bad enough.

Second, the Democratic leadership wants to make in order next week a bill on the balanced budget which they did not even have a number for this morning, a bill which has never been to a committee, a bill which has never had a hearing, a bill which has never been marked up. But if they want to make it in order, they can bring it to

the floor, because the Democratic leadership runs its scheduling dictatorship, and under their dictatorship they can do anything they want.

So we can take a bill which has been around for 2 years, has 338 cosponsors, we can get the President to say he would sign it, and that cannot come to the floor, but under the Democratic legislative dictatorship, they can write a brandnew bill, introduce it today, give it a number, and vote on it on Tuesday.

Let me carry it a stage further. We have been trying for 5 weeks to get them to bring to the floor the enterprise zone job creation legislation. A job creating enterprise zone is very simple. It is the idea that if there is a pocket of poverty, whether it is in rural America, West Virginia is a good example, or whether it is in the inner city, Atlanta, Los Angeles, New York, that the most effective way to end poverty is to create real jobs, not to have make-work summer jobs given out by politicians for 2 months, not to have trickledown Government bureaucracy, but to change the Tax Code to create an incentive so small business and new business will invest and create jobs in the inner city and will create jobs for poorer rural counties.

This is not a new idea. Congressman Jack Kemp first began developing it in the late 1970's. He is now the Secretary of Housing and Urban Development. The concept has been around for at least 14 years. Congressman Kemp cosponsored a bill with Congressman RANGEL, a Democrat from New York. That bill has been around for over 10 years.

The administration, the Bush administration, has now developed a new, more expanded, more powerful, enterprise zone legislation.

The private sector leader, Peter Ueberroth, a businessman who did the Olympics in Los Angeles, asked to look at what could be done in Los Angeles after the riots, made a key principle. He said:

I don't want temporary short-term, make-work, political bureaucratic Government programs. I want a real program to have real business create real jobs that will last for a decade, or for 20 years, or for 30 years. I want people to go to work in the morning and have the same job a year later. I don't want them to show up so the politicians can hand them a job for two months, and at the end of two months they are right back in the same thing they have been in.

Peter Ueberroth came to the House. We had a bipartisan leadership meeting. We had Democrats and Republicans. Mr. Ueberroth said:

If you pass job-creating enterprise zone legislation, we will have \$20 or private investment for every \$1 of tax relief. We will create jobs within 48 hours of this bill passing. You do not need complex legislation, you do not need a big, massive bureaucracy.

If the bill gets accepted, every businessman in America, every business-

man in Japan, every businessman in Germany suddenly says:

If I go to a poor neighborhood in rural America, a neighborhood that has become an enterprise zone, I get some advantages? You mean if I go in the inner city and I create some new jobs I get some advantages?

People do it because it works. We know it works because it works in Hong Kong. We know it works because it works everywhere on the planet where people are given an incentive to create jobs.

Again, this exactly what Paul Tsongas, a Democrat, was trying to say all spring:

You cannot love jobs and hate job creators. You cannot want to create jobs and refuse to pass the legislation that would lower taxes to create the jobs.

We have tried for 5 weeks to bring up job-creating enterprise zone legislation. As of today, we do not even have an agreement in the other body, in the Senate, to even bring it up ever. We could literally pass it on Monday, and according to Mr. Ueberroth, by Friday jobs would be created, so we could have a summer jobs program in June by passing this bill.

What is the answer? The answer is, despite the fact that Mayor Bradley, the mayor of Los Angeles, came to the White House and said, as a Democrat, "Please pass the legislation," Mayor Espy of Mississippi came in as head of the black mayors for the whole country, representing over 300 black mayors, and said, "Please pass this legislation," and I have talked this morning with Keith Butler, a city councilman in Detroit who said, "Please pass this legislation," despite all of this bipartisan appeal to the Congress, the Democratic leadership will not make in order next week the President's enterprise zone legislation, which I believe, if it came to the floor and was brought for a vote, would pass by a huge margin.

Finally, in the very week next week that we are going to bring up the balanced budget amendment, the Democratic leadership has decided to take the supplemental appropriations bill, which was already, frankly, bad leaving the House, which already had too much money in it in my judgment, and I voted against it, this was originally emergency aid for Los Angeles. Then we added Chicago. Chicago did not have a natural disaster. Chicago did not have a riot. Chicago had a city government which failed to do the proper thing on maintenance to take care of its tunnels, so every American is now going to send \$125 to Chicago in order to help take care of the city government's failure. I think that is wrong.

□ 1530

It was bad enough. When it left the House it was at \$495 million. This was the so-called supplemental. It got to the Senate. The Senate went from \$495

million to about \$1.8 billion. It went to conference between the House and the Senate. The conference is a total outrage. They added another \$100 million in the conference.

So there was too much money in there for 160-some Members of the House when it left here at \$495 million. They then added \$1,400,000,000, and in the process the Senate had a little provision, a sense-of-the-Senate resolution. It said, by the way, while throwing all this pork barrel money at the politicians, let us also pass a job-creating enterprise zone bill. We had a vote in the House. It is called a motion to instruct conferees, and we instructed our conference, we said, by 372 to 21, that is right, by 372 to 21, that is 15 to 1 or almost 18 to 1 we said accept the Senate resolution.

Now I think back home watching television, seeing this on C-SPAN one would think a Member of the House looking at it in the RECORD if you instruct the conference by 372 to 21 that they will accept it, right? Wrong. The Senate already adopted it. We voted 382 to 21 here to adopt it, and they dropped it in the conference. It is the most outrageously, high handed, discouragingly, I think arrogant behavior one can imagine. It is the same good old days in the same good old room doing whatever they want without any regard for the American people, without any regard for what happens in the public, without any regard for public opinion. Just a total, absolute failure of the process.

So what is going to happen next week, and I think this is one of the great ironies which is beginning to bite the Democratic leadership, if we are going to vote on a balanced budget amendment. And then we are going to bring up, probably the same day, a bill which is going to be \$2 billion, of which the President asserts \$1,400,000,000 is not needed. And the Democrats, I would bet money, are going to pass it, because they see no contradiction between adding \$1,500,000,000 in pork barrel for the politicians in their big-city machines and voting for a balanced budget amendment. And it is just all too much.

So I just want to close by saying this: I think the way the House is currently being run is an outrage. I think it is totally unacceptable to the American people to have the leadership of the Democratic Party take a bill that has 338 cosponsors and not bring it to the floor, to have the leadership of the Democratic Party take a desperately urgent request from the President to have a free-enterprise job-creating enterprise zone bill come to the floor to create jobs this summer, to have the Democratic leadership get a 372-to-21 vote and then just totally ignore it.

So in that setting I just want to say that I believe when the American people told CBS News in their poll in May

that 51 percent desire fundamental change and 34 percent believe this system needs complete rebuilding, that I have to agree with the American people. And I think this system is in desperate trouble. And I think every activity in this House this week increased that trouble. And from everything I have seen to what is going to happen next week, that trouble is going to get worse. And I think running a legislative scheduling dictatorship just further undermines the confidence of the American people.

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

RESOLUTION TRUST CORPORATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. McCOLLUM] is recognized for 60 minutes.

Mr. McCOLLUM. Mr. Speaker, I want to talk this evening to my colleagues for a few moments about what has become of the Resolution Trust Corporation and where we are at the present moment with regard to the closure of savings and loans around the country that have been identified by the Office of Thrift Supervision as not viable, and those that are on the list as potentially not viable to be closed over the next few weeks.

First of all I would like to take us back a few minutes to the creation of this under an act of 1989 when Congress, in the throes of the savings and loan crisis, decided to create the Resolution Trust Corporation and to provide procedures for the resolution of those institutions that were considered to be not viable any longer. At that point in time there were changes made in the ground rules with regard to capital requirements for thrifts, what could be counted as capital and exactly the standards were set forth within certain parameters for the Office of Thrift Supervision, which was to make the determination of how they would determine which institutions were to be left open and which institutions were to be closed.

We created at that time only a body, an organization called the Resolution Trust Corporation that not only received the money for the purposes of being used in these resolutions, but also received the charge to dispose of certain assets and properties which were not properties that could be easily maintained or kept by maybe an acquiring institution that was a little healthier, that might be willing to buy some of the better assets, and take on the deposit base of the closing institutions. I thought at that time and I still do today that this particular legislative initiative and this structure was a mess that was fundamentally unworkable and would cost the American public billions of dollars in losses that were unnecessary to the resolution of

the thrift crisis. I voted against that legislation, which euphemistically is known as FIRREA, and I am very pleased today to be able to say that I voted against it. But I am very unhappy with the fact that it has fulfilled my worst nightmares with regard to what might happen when it comes to handling of this matter.

However, I am not here today to talk about all of the problems of the Resolution Trust Corporation. I want to focus on something that has been brought to the forefront particularly this week that I have been involved with for some time, and that is the closing part, what remains to be done. And in order to see what remains to be done, and what is there, we have to look back on the fact that the Resolution Trust Corporation has already spent about \$88 billion, not million, but billion, with a "b," \$88 billion on so-called resolutions of failed thrifts from that particular crisis under this legislation. They have requested an additional \$72 billion to close what they estimate to be about 162 more savings and loans that they think over the next few months may well be in the category needing closure.

Of those 162 institutions, they are in what are called as groups group 3B, like boy, 3C, and group 4, group 4 being the worst as far as viability is concerned out of those 162 that they have identified. My staff on the Banking Committee where I serve have determined that there are 41 of those institutions that may have what is known as supervisory good will on their books, something that I want to spend a considerable amount of time discussing so that we can have a better understanding together of how the absence of a policy to deal with this supervisory good will in a commonsense fashion is in the process of leading to the loss of billions of dollars of taxpayers' money that do not need to be lost. Primarily, many of those 41 institutions do not need to be closed even though they are on that list, and even though they may have capital that is below the amount required by law, and they have other problems. Those problems would go away if the supervisory good will were not on the books and cash were there instead, or if the supervisory goodwill were not the thing that it has become to be under the law that we passed in 1989. I am talking about institutions that are basically in the black, that are healthy, that have good asset bases and that are well managed, the really bad apples already having been closed. And I am talking about the fact that if a proposal I have suggested, but never have been allowed to get a vote on either in the committee or on the floor of this body, if this proposal with regard to the buy back of a certain amount of this supervisory good will were indeed enacted into law, we are talking about saving many of those institutions from closing and

saving somewhere between \$10 billion and \$20 billion that otherwise would be spent in resolving them, and saving somewhere around 15,000 jobs of Americans that are working in those institutions in communities all over this country today.

I find it absolutely amazing that the administration, that the Treasury Department, that the Office of Thrift Supervision, and the Resolution Trust Corporation have not embraced this concept and still want to deny it, still want to put it off, and want to be given money that Congress so far has not given them to continue the process of closing the remaining 162 institutions or so that are on their list, which include those institutions that I have just described that really do not need to be and should not be closed at the kind of costs that we are talking about.

□ 1540

Now, try to put this in perspective. It is not as complicated as it might sound, but we have to go back to the 1980's and think about for a minute what was happening in this country with regard to savings and loans. We had a home loan bank board and other regulators who were trying to figure out how to resolve difficult situations with institutions that were not working. If you remember, we had high interest rates and we had high inflation at the end of the 1970's and into the eighties and the very fabric of the savings and loan business were threatened by this, because they had fixed rate mortgages for 30 years that they got a certain amount of interest in, which was their primary income, and they had depositors. In order to keep those depositors, to be able to have the savings accounts in those institutions, they had to pay very high interest rates to them, so they had low interest rate profits coming in on a fixed rate basis and they had to pay out very high interest rates in order to keep the deposit base and keep depositors coming in. It was a no-win situation.

Congress tried in the early 1980's to loosen the reins to let them get into other businesses, but unfortunately the timing was wrong. The tax laws were changed. The real estate market in the southwest particularly dried up. The oil patch had its problems and there began a major collapse of the savings and loan industry.

During that time, the insurance fund for savings and loans to protect depositors simply did not have the resources to deal with this and we did not have any RTC [Resolution Trust Corporation] money or organization to resolve these folks, as we have now presently in place.

So there was some creative financing that was done in order to deal with that problem. I think a lot of us questioned the value of that, whether that

was an appropriate thing to do or not, but at any rate, it was done, and in the 1980's the regulators provided an understanding with many, many savings and loans throughout this country that were very healthy, the ones that were the better institutions, the well-managed ones, they said, "We'll make a deal with you. If you will acquire bad institutions that have bad assets, that have troubled loans, that aren't making it over here, if you will do that, if you will take these on, take on the problem loans and liabilities, then we will provide a replacement, an accounting hole. Instead of giving you cash"—which is done today for the same type of thing by the Resolution Trust Corporation to get resolutions of these currently bad institutions—"instead of doing that, we will let you count on your books a certain amount of money"—which is really not money, it is fictional—"as good will, as capital, and you will be able to count that for 30 or 40 years."

They figured out a certain dollar amount equivalent and they put it on the books to fill accounting holes that were there because there were bad assets and there was a negative amount involving the accounting because of these bad assets that were being taken on by good, healthy savings and loans, as they acquired and took over the sick ones that they had no way to deal with otherwise.

This accounting, this gimmickry, as some people call it today, this process which was actually approved by the accountants of the day and met national accounting standards, was known thereafter as supervisory good will, because the supervisors, or the regulators, were the ones who created it. It is not good will in the traditional sense of good will that might be on the books because a doctor's office or a lawyer's office has a lot of good will created by virtue of it having good clients or a good patient base or good business coming in. If you sell it, it has a good will factor in it. This is a different kind of good will created to fill this accounting hole that occurred because the healthy S&L's were agreeing to take on some pretty troubled assets and would not be able to make this whole thing profitable for quite a number of years.

They were given those 30 or 40 years to work this out and count this so-called supervisory good will toward capital.

Well, in 1989 when the so-called FIRREA law passed that created the new Resolution Trust Corporation and the Office of Thrift Supervision was given power to resolve the problem, Congress canceled all those deals. As it turns out, that was a pretty bad decision by Congress. We just said in this body that hereafter no longer will you be able to count supervisory goodwill toward capital.

We also changed the capital standards and said that savings and loans have to meet these standards over X, Y, and Z period of time. By doing so, we have created a real mess right now for otherwise very healthy savings and loans and we have actually forced the process that is going on today of closing many of those very healthy savings and loans that otherwise should not be closed, at a tremendous cost to the taxpayers. That cost is calculated and can be calculated historically by looking at estimates that the Office of Thrift Supervision and the RTC have made on those institutions they have closed.

I can give you an illustration of what happened by looking at what first got brought to my attention in my home community of Orlando where an institution last year, known as the First FA of Orlando, a savings and loan, was resolved.

The estimated cost of selling that institution was taking at least its base of depositors and certain assets and selling it to the Great Western Bank of California, the estimated cost by the Office of Thrift Supervision and the Resolution Trust Corporation, the actual cost to the taxpayers ultimately, never to be recovered, was \$170 million.

Well, the First FA of Orlando had at the time that the law was enacted in 1989 that canceled the good will deals, it had on its books about \$50 million in supervisory good will because it had acquired a couple of savings and loans to help the regulators back in the 1980's.

If we had instead of having the kind of a cancellation of good will that we did, if we had bought back or paid cash to the First FA of Orlando, \$50 million, that would have been one of the healthiest savings and loans in the entire United States, and the taxpayers would have saved at least \$120 million of the \$170 million in the closing costs that were involved and all the people who worked in that savings and loan would still have their jobs today and the community would still have a prosperous and an important financial institution in Orlando, but that did not happen.

Instead, the law that was enacted in 1989 caused the good will to phase out over a very short period of time as far as being counted toward capital is concerned and the effect of that was that the institution was no longer viable, it no longer could succeed. It had no future. It could not possibly continue in existence without a resolution, and so it was sold.

That is a small example. There are many other larger institutions involved in that process. It is a small example of the problem we faced when we did not address this good will issue properly and said, "Aha, this is bad stuff. We have got to get rid of it."

The question really was never faced about how to get rid of it.

Now, let us bring ourselves a little bit more up to date on the current

time. What can we do instead of what is happening to resolve these institutions? Let us assume there are the 41 that are involved that I have described, that is of the 162 savings and loans that the Office of Thrift Supervision and the Resolution Trust Corporation say are the most likely to need to be closed over the next few months, of those 162 on their books, there are 41 that have supervisory good will. Actually, there are only 40 today because this week the Office of Thrift Supervision has started to close these institutions, even though Congress has not given it the money that it wanted and asked for in a process of taking over the institutions without selling them to other acquiring institutions; but at any rate, 40 or 41 institutions, one of those had supervisory good will, it was my understanding, that was taken over this week, 40 of those institutions having the good will, have a total amount of good will of approximately \$2 billion to \$2.2 billion in amount.

The entire cost of closing those institutions can be calculated by looking at the formula that has been used before, looking at the total assets of those institutions and doing a multiple that is roughly 25 percent, 20 to 25 percent of the assets, total assets of those institutions. That is what it is costing to resolve each and every institution that the Office of Thrift Supervision is closing today. By doing that, looking at those 40 or 41 institutions, we come up with somewhere in the neighborhood of \$20 billion that it is going to cost the taxpayers if those institutions were all closed.

For \$2 billion, roughly, we could save \$18 billion at least, and it may well be that it would cost more than the \$20 billion to close them. All you have to do is be a simple fourth grade mathematician. Take 20, subtract 2 from it, you save \$18 billion.

Now, I say the savings by adopting this buy-back idea would be between \$10 billion and \$20 billion. I do not know exactly where, because it is not clear how many of those 40 or 41 institutions can be saved.

The reason I say that is that nobody would want to buy back good will just for the sake of buying it back.

The proposal I have offered, that has been rejected by the regulators, rejected by the Treasury, not worthy of being looked at by them, according to their calculators, is very, very simple.

□ 1550

It would say the test to be determined by the Office of Thrift Supervision in looking at whether to put cash in and buy back the goodwill of an institution is on the list would be whether without the buyback—without the buyback—the savings-and-loan would be closed. No question about it. You have to first determine the savings and loan would be closed without buy-

ing back supervisory goodwill and putting cash in. And, too, second, with the buyback, the savings and loan would be saved.

So that if an institution really had bad assets, had bad management, was in the red, had no chance of surviving even with buying the goodwill back, there would be no buyback, there would be no requirement that the Office of Thrift Supervision and the RTC buy that goodwill back. They could go ahead and close the institution.

But if it could be saved and it were going to be closed but for this goodwill buyback idea, they could take the step—they would simply be given the power to do so to put cash in place of the goodwill and the cash would count, clearly, as capital.

And the way that would work, the capital would be raised—the institution would be raised above the minimum standards and at that point they would look at that institution in profile, theoretically, compare it with other institutions they are trying to figure out whether to keep open or closed, and they say, "Ah hah, with cash there instead of goodwill, which obviously the cash counts as capital, this institution would be healthy, it would be in the black, it has good assets, it has good management, it would work fine, there is no problem at all." If that is the case and only if that is the case under this proposal of mine would the Office of Thrift Supervision be obligated to buy back the goodwill.

My studies of this with my banking staff looking over the books that they have been allowed to see down at the Office of Thrift Supervision on the potential failed institutions shows that many of the 41 institutions would be saved. We estimate out of the 41 that we looked at that have the goodwill that are under consideration for closure, that about 29 of them would be saved by the Office of Thrift Supervision. And that is why I think it is very important to think in terms of the tremendous costs we are dealing with here and to look at this particular proposal.

I would also like to point out that there is another little factor in this that makes these institutions healthy when you buy back—or healthier when you buy back the goodwill: Supervisory goodwill cannot be counted as capital any longer after the next year or so. It is being phased out. That is a major problem.

But there is another problem that gives a big difference in whether you consider an institution to be viable or not in looking at the standards that the Office of Thrift Supervision has to use. And that is a question of its expenses versus its income. That is, is it going to be in the red or is it going to be in the black operating after you do a buyback like this?

What we found is that the goodwill, while it is being taken off the books for

counting toward capital is still not off the books for some other purposes and is being expensed under the 1989 law, some of it is, at least, being stretched out in all of these institutions for about 20 years. So it is a negative drag having this goodwill on the books for accounting purposes with respect to the income statement.

And if you put cash in there instead of the goodwill, you no longer have an expense item in the goodwill on the books, you have an earning item that is earning cash—cash is earning—it can earn interest, it can be used for loans and what have you; it would be a very big positive, and it turns the books around on the cash flow as well. So that these institutions not only have their capital raised by cash going in in place of goodwill, which counts toward capital above the minimum standards; they also have the earnings picture changed completely by the cash put in as opposed to the goodwill on the books that has to be expensed.

Anyway, that is a technical, but a very important, technical item.

What happens when this occurs is that you then have very viable institutions that have been created by this process. And I have had some people who have been very critical who will say, "Well, gee whiz, you are going to be saving institutions that will be nothing more than benefiting shareholders of those institutions," and somehow we are going to increase the shareholder value. And that is a terrible thing that we are doing. I am not increasing by this proposal, we are not increasing shareholder value for anybody. There is no way that shareholders in those otherwise failing thrifts are going to get anything out of this. Let me tell you why.

No. 1, every penny that is put in there by the Government under this proposal that we have authored would have to be paid back to the Government. Once the institution is up and running and has the goodwill off its books and is making money again and it will be profitable and the Office of Thrift Supervision determines that its viability will not be affected by paying back money to Uncle Sam, every penny of the cash that went in to buy back the goodwill will have to be paid back on a payback plan to the Government of the U.S. Treasury.

So there is no benefit that way.

Second, the proposal I have offered states unequivocally there may not be any use of any money that is provided in the buyback program to pay dividends to shareholders. So there can be no benefit in the way of paying out dividends.

Third, the proposal I have offered says that shareholders cannot maintain any kind of benefit in regard to this from the change in capital that is involved in this. If, for example, by putting cash on the books, you raise

the capital above the minimum requirement, which is going to be shortly up over 3 percent—let's say we raised it up to 5 percent capital. If by putting on the books something that is way above the minimum capital standard the 5-percent level, that is where capital goes in an institution, it must maintain that as a floor. It may not allow its capital to drop below the point where it has been raised by the goodwill buyback.

So that will not benefit the institution or their shareholders.

Now, I cannot deny that shareholders benefit to this extent and to this extent only: That institution that gets the buyback will not be closed. It will stay open. These guys who have stock in it will not go broke. Big deal.

But think of how much more it benefits the American taxpayers than it does any of those shareholders. It benefits the communities, it benefits the employees who will not lose their jobs. We are talking about saving millions of dollars to the taxpayers by keeping these institutions open. We are talking about 10,000, 15,000, 20,000 jobs. We are talking about keeping institutions open that may have been historical community pillars in many of our smaller communities around the Nation.

I cannot imagine how anybody could argue, after I have just given you the details of how many protections are in here, it would keep anybody from being able to say a shareholder benefits out of this when he should not benefit; I do not see how anybody could argue what little benefit is gained by not losing money, which is kind of a strange kind of argument, could possibly compare to the tremendous benefit to the American public by the buyback program; the money that they would save, the institutions that would be kept open and the good that would be done by doing so.

So I think that is a tremendously red herring, bogus argument that is out there.

I have also been criticized in this proposal—the only other criticism I have heard deals with the idea that somehow this kind of a proposal passed by Congress would affect the outstanding litigation which is going on right now between the Justice Department and the regulators and institutions that have already been closed or affected by the cancellation of goodwill on the books.

I am going to tell you I do not have much hope for the Government's case in those instances where there are ongoing litigations. There is a current court of claims decision handed down not long ago, known as *Winstar*. It is a case that had a brief, I guess an opinion, really, filed by the U.S. Court of Claims on April 21 of this year. It seems to me, in reading that court of claims decision that has been filed, it

is pretty darned clear that the Government is going to lose all of these claims anyway. Canceling supervisory goodwill was a pretty bad idea, we broke a contract with those institutions. It was a Government agency that gave them the goodwill, made the promise they could keep this on there for 30 or 40 years in return for their being willing to take on failing S&L's in the 1980's. And then we canceled them. It is a horrible proposition. The Court of Claims has found that the sovereign ax doctrine does not apply and does not, indeed, hold the Government unaccountable and free from liability.

I have read the decision. Anybody can read it. It is in plain English. Their rationale, I do not want to take the time to go through all of it today, but if you read the decision and read the rationale, I do not see how the Government can possibly win its cases. That means it is even more foolish what we are doing. All of those lawsuits that are pending out there right now, whether my proposal passes or not, are going to be ruled adversely to the Government at a cost of millions and perhaps billions more in dollars. And then on top of that, if the proposal I have offered does not become law, if the regulators do not follow it and we go ahead and close these additional 40 or so institutions I have described to you today, on top of the \$20 billion or so it is going to cost the taxpayers to close them through the processes of selling their assets or selling the deposits or finding buyers or whatever, you are going to wind up with the cost additionally of paying ultimately damages to shareholders and others who have been damaged by this process, as the lawsuits are going now.

□ 1600

But in addition to that, what I have discovered in doing research, talking with the lawyers involved in the case, talking with good attorneys downtown and asking the Library of Congress attorneys for their opinions, I have discovered that, whatever we did here on the floor of Congress with respect to buying back some goodwill for the peculiar purposes I have described today, would not in any way be admissible in any of those lawsuits for the purposes of either determining liability or determining damages. It would be irrelevant. It would be inadmissible. It would not have any impact.

And then I hear the lawyers who argue these cases for the Government say, "Ah, but there would be a halo effect."

I guess this is a halo I wear, that kind of effect, that somehow judges deciding those cases would look at what Congress did and say, "Ah hah, Congress let some folks get away with this. They let some folks get a bargain"—I do not think it is a bargain at all, but, "they remedied the goodwill problem

for some, so we're going to come in and be more likely to decide in favor of the complaining party and against the Government because Congress acted on the peculiar ways that I've described here we do in a very limited fashion for saving the taxpayers some money."

Mr. Speaker, that is an absurd argument. I have been an attorney all my adult life, as far as my practice and work is concerned, since graduating from high school many years ago and I personally find that an offensive concept. I do not believe that is true. I think it is a very bogus argument. But, as a pragmatic matter, it is not going to happen anyway. It is a ridiculous position to be in, and those folks are the only two arguments, the only two arguments, the shareholder benefit argument and the argument about it affecting adversely government litigation that is ongoing now that I have heard against what I suggested.

Nobody, none of the regulators, deny that my proposal would save at least a few institutions. I submit it would save a lot of them.

Some of them want to say, "Well, it would only save 3 or 4, 5 or 10, 15 or 20 and not 41." Well, I do not care if it only saves two, or three, or four. It is going to save literally billions just saving those from closure. Save the taxpayers billions and is good public policy.

I myself believe that, based on the studies we have done, it would save closer to the 29 that we have talked about of the 41 that have goodwill that are on the books that are likely to be closed otherwise. But, whatever the number, it matters not.

There is an admission out there that this proposal would indeed result in some institutions that otherwise would be closed not being closed, and it would result in a tremendous savings to the taxpayers because the ratio of the cost of this proposal to the cost of otherwise resolving these institutions is somewhere in the neighborhood of 10 to 1, 10 times as much to close them under the traditional methods the Office of Thrift Supervision and RTC are using versus keeping them open by cashing out the goodwill if they would be viable and would be capable of surviving if you bought back the goodwill for cash and put cash in in its place. So, to me that makes absolutely no sense at all.

Now, I want to bring up one other point. A lot of people think this is some kind of a novel idea I have proposed. Well, I am not proposing anything novel at all, and it is also kind of a strange reasoning to me on this score. There are precedents for doing exactly what I am proposing under the procedures now being used.

Let me describe it this way: How do people think that most of these institutional problems are being resolved today by the Resolution Trust Corporation and the Office of Thrift Super-

vision? I do not know what they think, but I will tell my colleagues what is the case.

These institutions are not truly closed and the depositors paid off. I mean that is an argument I hear, too. "Gosh, that law in 1989 was a law I voted for, and I want to be able to continue to tell my constituents the only reason I voted for that was because the money that is involved in it is strictly going to pay off depositors."

Well, Mr. Speaker, none of the money, practically none of it anyway, very few cases of the RTC money is going to pay off one dime to a depositor of any institution. That is not the way the system works right now. It is not the way it has worked since 1989. It is not the way it is going to work tomorrow morning.

What happens is pretty simple. A great western bank, or some other healthy institution, a commercial bank, or a savings and loan or another financial institution, will come along, and they will bid on acquiring the deposits and some of the assets of this failing institution that the Office of Thrift Supervision is determined is not going to be able to survive, and in the process of that they cut a deal, and the real way they win this bidding war with anybody else who might want to, quote, buy the failing institution is they agree to take on maybe more of the bad assets than somebody else does, and the rest of those bad assets go over to the Resolution Trust Corporation, and, that is a whole 'nother bag of worms out there where we got all the real estate on the market there on the market they are trying to dispose of, a lot of horror stories we hear about on RTC, but there the buying or acquiring institution says, "We'll do that, but in turn you have to give us some cash to fill a negative accounting hole that's created by our taking on this group of bad assets," and the bid is really won on the basis of how much cash they are willing to do this for, how much cash the RTC is going to pay this healthy institution, this big, big, big institution in most cases, to acquire this other failing S&L. And the reason why the cash is there is to fill the same negative accounting hole that the supervisor of goodwill was used to fill by the Home Loan Bank Board in the 1980's when the supervisors and the regulators did not have any cash like RTC has today to give to the acquiring institution that was healthy.

And that is what is so stupid about the arguments against what I am proposing. I am just proposing that we go back and revisit a few of those institutional transactions that occurred in the 1980's when there was no cash and do the same thing with those by revisiting institutions. I am suggesting that it saves a lot more money instead of taking an institution that already has gone through the process of being one

doing the acquiring that is healthy and saying, "Oh, we're going to take away your goodwill and not count your capital and, therefore, make you a bad one, and take on another good institution, and make a deal with it, and give that other institution a bunch of cash."

Instead of doing that, let us go back and do what we should have done in the first place and give a much smaller amount of cash to the first-time acquirer that is now put in the position of failing by this very unusual and strange device called supervisor of goodwill and the cancellation of it in 1989 by Congress. Let us give them a little bit of cash and let it live instead of giving a whole bunch of cash to still a third institution that is going to come in here and buy it.

As my colleagues know, that brings me back to who benefits. If any shareholders are benefiting, they are benefiting right now. It is not by my proposal that I am benefiting anybody. I am not benefiting anyone. I am just keeping some institutions open, if my proposal were adopted, to buy back some goodwill and doing what should have been done in the 1980's.

But what is happening today is we have very large, healthy savings and loans that do not have goodwill on the books, that are not fixed with this problem that we fix them with by Congress' own actions, and they are saying, "Ah hah, I can make a lot of money by doing this. I can get some wonderful new depositors. I can put my competitors out of business. I can close them down. I can get a great deal here. I can get cash in large amounts from the Federal Government, and it's a wonderful opportunity for me to get bigger, and get stronger and get rid of all those other guys out there."

Of course those institutions are opposed to what I want to do, and they have argued in some of the associations they are in the MCCOLLUM's idea is terrible. Well, they are the ones who are benefiting by this. They are the ones who are the shareholder beneficiaries of the problems that exist now. And I find it to be incredible that some of my colleagues and those downtown in the administration would argue that there is a problem with MCCOLLUM's proposal under some idea that it is very fictitious that there is some major benefit to shareholders of institutions that I would keep open because there is not. But the guys are benefiting who are in the process of acquiring these institutions that should never be closed now, and they are doing it at enormous taxpayer expense, billions and billions of dollars of American taxpayers' money.

Well, that is a very long story to tell, but that is the reason I took special order time, because it is not something that is easily talked about out here in a 1-minute; certainly not, nor in 5-minute special order time or in debate

we have on the legislation when it comes forward. There is no way to adequately explain that story.

But I can tell my colleagues right now that, if anybody bothered to listen to what I had to say today or anyone reads the CONGRESSIONAL RECORD and studies it, the proposal that I have made is not only common sense, it is absolutely good sense. It is tremendous billions of dollars of savings to the taxpayers. It would save thousands and thousands of jobs. And without it we are going to continue this train wreck called the Resolution Trust Corporation and close a lot of savings and loans that we have absolutely no business in closing at all.

□ 1610

I would submit to you that the problem with the reason why this proposal has not gone very far can be best summarized by three words. Three things are driving the engine that is propelling us toward the proposal of the administration and the RTC and the OTS to get an additional amount of funding to do away with this problem and close all these institutions and not make any changes.

Those three words that describe what is driving the train and causing a problem with getting a fair shake on this particular proposal are ignorance, fear, and greed. And those are pretty time-honored things that drive the engine for a lot of people who legislate and a lot of people who operate in the business world and a lot of people who are in the executive branch of Government.

Ignorance, because lots of folks simply do not understand this. It is too complicated to want to get involved with. They have not taken the time to do it.

I do not expect all my colleagues to do this. I happen to have served on the Committee on Banking, Finance and Urban Affairs. I have seen an example of this and gone over it in my own hometown on a very simple, low dollar level that made it quite straightforward to me to observe it. I have no interests. I have no institutions to save. The only one I know about that I have any knowledge of at all has already been closed and resolved and it is not going to be resurrected by this.

I have no knowledge of the names of the institutions, the 41 or 162 that are on these lists. All of them have been redacted and blacked out so that I and my staff do not know who they are. I have no idea who they are. I have no interest in them at all, none.

The only interest I have is in the taxpayers. But I do understand that there are very few people who have gotten involved as much as I have or could take the time to do that to understand this. Again, that is why I am trying to lay some of it out today.

But there is a lot of lack of knowledge, misunderstanding, ignorance in

the best sense of the words, and that is certainly a major factor in why this proposal has not gone any further so far than it has.

Second is fear. There is no doubt in my mind that many of my colleagues are truly afraid of the issue of the Resolution Trust Corporation, not understanding it, wanting to put it beside them, wanting to get rid of it, wanting to put it behind them, I should say. There is a desire not to deal with the complexities that they think are there in what I am proposing.

Consequently, it is difficult to get attention and get focused on this.

Then there is fear on the part of regulators and those in the Treasury Department in my opinion, fear that by embracing something like this, those who are their political enemies can make hay of this, somehow twist it around, and, because it is a little complicated, make some speeches that do not sound too good and distort the proposal and distort the proposition, and it is better to let the sleeping dog lie, and close all these institutions down, regardless of the costs, because that does not stir up the pot any more. It does not cause as much debate. It does not look like you are changing your position.

So there is fear downtown at the administration, political fear down there, as well as political fear here. Down there the difference is that they understand this, and I find that much more reprehensible, that they would let that fear drive them downtown than the fear of many of my colleagues about something that I know that they do not understand well, not serving on the committee and not having taken or having the time in the much diverse world we live in and so many different issues we have to deal with up here in Congress.

But it is fear in both the legislative arena and in the executive arena, which in my judgment is a major factor why this simple buyback proposal so far has not lifted off the ground in terms of getting the support that I believe it deserves and those several others who have looked into it believe.

The third thing is greed. What is the greed I am talking about? Well, I am talking about the greed of those banks and those financial institutions that want to get bigger at the expense of those that are being closed. The greed that is normal. I do not know that it is all bad. It is part sometimes of the free enterprise system.

But here we have Government involved in it. We are allowing these institutions that are not having the goodwill problems, that are healthy, to get bigger and to grow stronger at the expense of other institutions whose only problem was created by the Federal Government.

We are talking about savings and loans that are healthy, well-run, in the

black but for goodwill institutions, a good asset base, should not be closed. But there are some big institutions out there that do not have the goodwill, that want to get their assets, want to get their deposits, and want to get the Federal Government to pay them the billions of dollars involved in this so that they can obviously get bigger and benefit their shareholders.

Many of them are traded on the stock exchanges and there are a lot of stockholders who will benefit by this. It is a natural thing, but it is a very greedy thing, and it is, however, very unnatural that our Government would be aiding these institutions in this process by paying out billions of dollars in taxpayer money.

What I am describing to you today is truly a taxpayer scam. We are talking about a small group of large financial institutions that are making off with mega bucks of taxpayer dollars and becoming extremely big giants, that will dominate the industries that they are in for a long time to come at the expense of the taxpayers.

The way that that could be remedied would be for common sense to wake up, a light bulb to go off, and for us to spend a very small amount of money resolving a problem we created.

I mean, it is really crazy when you think about it. Congress created the problem in the first place. We did not address the savings and loan crisis properly in the 1980's. We created a tax law change that we did not recognize soon enough. And more than anything else, though, now when we have got the chance to rectify some of that, what happens? We came along in 1989 and in a simplistic area, we made a very foolish decision to cancel the supervisory goodwill of those institutions that had it on the books and break contracts that I think will cost us in the course ultimately.

Now, some of it this could not perhaps have been foreseen. Again, it is a complicated set of circumstances. You can look back now with 40-40 hindsight and say all of this was there. I did not see all of it then myself, and I would be the first to admit that I did not, and I do not know anybody that did.

But today, at the present moment, we have the benefit of that hindsight. We can see how the savings could occur. We can see how we can stop this losing proposition. We can see who is benefiting by this and who is greedy about it. And we can see taxpayer dollars that are being lost.

We have clear-cut choices. All it takes is some time to educate ourselves, for others to get educated about this, to think it through rationally, and to put aside the political fears that we cannot explain it back home, and to look at it from the standpoint of, hey, you sent me to Congress to the best job that I can do, to learn about things that are more complicated than you

know I can learn about or that you could as a citizen voter on the street in a normal day because you have got other things to do, too. You sent me as your Representative.

We need to put aside the political fear. We need to say to our constituents I became educated, I looked into that. We need to take the time to look into it. And I made the decision, an honest decision about how to save you, the taxpayers, somewhere around \$15 or \$20 billion. And I did it in a simple way, and I am proud of what I have done, and I know it is going to work, and we can close down this RTC much sooner. We will not send any more bad property over there for probably \$17 to \$20 billion instead of \$72 billion they are asking for.

Every bad institution that is left around, or conceivably bad institution, could be resolved, and we would save the lives of somewhere around 40, may be not all 40, but I think as I said earlier, 29 or 30 of them. We could save the jobs which are in those 29 or so amounting to about 15,000 jobs of employees of otherwise very healthy institutions that will do very well down the road, and keep a lot of communities happy.

I do not know why that fear cannot be overcome, and I urge my colleagues to think about it, to study it, to review what I have said today, and to aid in that review process and that understanding, because I know when I have outlined it, I have done it in a certain order today, tried to do it correctly, but it does have a lot of details to it. You might not follow it all.

Mr. Speaker, at this point I include for the RECORD a copy of a letter from the Director of the Office of Thrift Supervision to me dated April 27, 1992, and his attachment to it, as well as a copy of a letter I have returned to him, Timothy Ryan of the Office of Thrift Supervision, dated April 28, 1992, that contains a point-by-point discussion of this particular matter.

OFFICE OF THRIFT SUPERVISION,
Washington, DC, April 27, 1992.

Hon. BILL MCCOLLUM,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MCCOLLUM: I am writing to comment on your proposed "Supervisory Goodwill Buy-back Program." Based on our previous discussions, I understand that you believe the proposal can reduce the ultimate cost of the S&L clean-up. The facts demonstrate, however, that this proposal will not reduce the clean-up costs but will impose substantial and unwarranted costs on the taxpayer. Therefore, the Office of Thrift Supervision (OTS) must oppose it.

Your proposed legislation creates a strong presumption that OTS would buy back the supervisory goodwill on the books of undercapitalized thrifts in an amount sufficient to enable the thrifts to meet their capital requirements. Your staff has identified 53 thrifts that this would benefit. Apparently, they presume that these thrifts are on an OTS closure list, and from that premise conclude that this approach will save the tax-

payers \$21.8 billion or 90 percent of the cost of closing these institutions. In fact, these premises are incorrect and therefore, the projected savings would not materialize.

Of the 53 institutions identified, only 12 have been classified by OTS as Group IV—the thrifts most likely to require resolution at taxpayer expense. One of these 12 thrifts was recently acquired by a bank, and one will soon be reclassified to Group III. Three have a total capital to assets ratio of greater than 2 percent, but because of their asset quality and earnings potential, they are still candidates for closure. The remaining 7 Group IV thrifts have such poor earnings that a buy-back would most likely provide only a temporary reprieve, with the result of sending good money after bad, thereby enlarging rather than reducing taxpayer losses.

The 41 remaining institutions from the list are currently in Group III. Although these institutions are not presently candidates for Federal takeover, migration to Group IV is likely for an undetermined number of institutions depending on a number of variables. However, a buy-back of supervisory goodwill will not necessarily determine the future viability of these institutions; rather the fundamentals of the institution—earnings, asset quality and management—will be determinant.

Thus, as you can see, the buy-back program would not necessarily change our treatment of the 53 institutions. In addition, the expenditure of such funds would be money that is not available to resolve the remaining thrifts the OTS has identified for resolution by the Resolution Trust Corporation (RTC) and that are not on your list.

Additionally, the proposed buy-back program would be poor policy for these reasons:

Permitting thrifts that still have supervisory goodwill to be paid cash for an asset that Congress has already declared worthless for capital purposes is a poor use of taxpayer funds;

The capital plan process is the better method of dealing with viable thrifts that are adversely affected by having supervisory goodwill on their balance sheets; and

There is no principled basis for treating the remaining marginally capitalized thrifts that have supervisory goodwill differently than those previously sent to the RTC, and in fact doing so could significantly increase the government's litigation costs.

In the attachment to this letter, these reasons are explained in greater detail. It is for these reasons, the proposed buy-back of supervisory goodwill would impair rather than further the goal of minimizing costs to the taxpayers, and therefore, the OTS cannot support it.

I know we share the common goal of minimizing the costs of the S&L clean-up. With this in mind, let me emphasize that the lack of funding has forced the RTC to interrupt the Accelerated Resolution Program (ARP). As explained in the attachment to this letter, the RTC cannot resolve most institutions now in ARP for want of funds. As their resolution is postponed, they will incur losses that ultimately will be passed on to the taxpayer. Under the circumstances there is an urgent need for Congress to act to provide additional funds. Each day the funding is delayed the RTC estimates that costs to the taxpayers increases by \$2.5 million.

Sincerely,

TIMOTHY RYAN,
Director.

ANALYSIS OF SUPERVISORY GOODWILL BUY-BACK PROPOSAL

1. THE BUY-BACK OF SUPERVISORY GOODWILL WOULD HAVE NO EFFECT ON THE RESOLUTION OF THRIFTS REPORTING GOODWILL

Mr. McCollum's April 7, 1992, "Dear Colleague" letter states that 53 savings associations are on a presumed OTS "closure list because goodwill makes them short of capital; in other respects they are strong, healthy institutions." The letter adds that if the goodwill were bought back from these 53 institutions, "they would be in a solid capital position—all of them would have at least 1.5% tangible capital—and thereby saved from closure."

These statements are mistaken. First, the factual premises are incorrect. The vast majority of these thrifts identified in the April 7 letter are not on any closure list. Most of the thrifts in OTS's Group IV—those most likely to be closed—are not even among the 53 mentioned in the letter. The proposed infusion of several billion of taxpayers' dollars under the buy-back proposal would be directed almost exclusively at savings and loans that are not presently threatened with closure.

Second, it is simply incorrect that 1.5% tangible capital represents a "solid capital position." Section 131 of the recently enacted Federal Deposit Insurance Corporation Improvement Act of 1991 is explicit that an institution is "critically undercapitalized" if its "tangible equity" is below 2%.

Third, the statements in the April 7 "Dear Colleague" letter suggest that capital, particularly tangible net worth, is the sole basis for the decision to close an institution. The capital position of a savings association is important, but is only one element of OTS's decision. The agency evaluates several key aspects of the management and financial condition of an institution before deciding whether to close it.

Goodwill in particular has not historically played a decisive role in the decision to take over a thrift. Almost two-thirds of the associations that OTS has closed reported no goodwill. As of December 31, 1991, only 251 of the 680 thrifts that have been transferred to the RTC have reported goodwill on their books. Focusing on these 251 failed institutions, 217 of them—86%—would have continued to have tangible net worth below 1.5% even after goodwill was included. Of the remaining 34 thrifts, which would have had tangible net worth above 1.5%, 27 were unprofitable on a trailing 4 quarter basis, and the other 7 had serious asset quality problems that threatened reported earnings. Thus, all of these institutions would have failed even if goodwill had represented a real asset.

A buy-back of goodwill will not reduce resolution costs.

Only 12 of the 53 institutions identified in the April 7 letter have been classified by OTS as Group IV. Group IV covers those thrifts whose earnings history, asset quality, management, or economic conditions in their areas of lending are so poor that they will likely be transferred to the RTC.

Four of the 12 Group IV associations have a tangible capital to total assets ratio greater than 2%, irrespective of the treatment of goodwill. Because of their very poor asset quality and earnings potential, 3 of these thrifts are candidates for closure, while the fourth has shown sustained improvement in operations such that it will be reclassified to Group III for the quarter ending March 1992.

Of the 8 remaining Group IV associations identified in the April 7 "Dear Colleague"

letter, one has been acquired by a bank, and the other 7 have average operating losses of 1.26% of assets over a trailing four quarters. An infusion of capital through the purchase of supervisory goodwill, given the embedded problems of these thrifts, would provide only a temporary reprieve. The donation of taxpayer dollars would serve only as a large subsidy to continuing losses.

Accordingly, none of the Group IV thrifts would benefit from a buy-back of supervisory goodwill.

The remaining 41 institutions of the 53 identified in the April 7 "Dear Colleague" letter are in Group III. Although these institutions are not presently candidates for Federal takeover, migration to Group IV is likely for an undetermined number of institutions depending on a number of variables. However, a buy back of supervisory goodwill will not necessarily determine the future viability of these institutions; rather the fundamentals of the institution—earnings, asset quality and management—will be determinant.

2. RESOLUTION COSTS TO THE TAXPAYER ARE INCREASING

The delay in funding is increasing the costs that the RTC will incur under the Accelerated Resolution Program (ARP). ARP is a program developed jointly by RTC and OTS to preserve the franchise value of failing thrifts and thereby minimize resolution costs. The institutions in ARP are marketed before the government closes them and are placed in receivership only at the time of sale. Because it lacks funding for these sales, the RTC has been forced to interrupt these resolution activities. The costs associated with the delay must, unfortunately, be passed on to the taxpayer.

3. THE BUY-BACK WOULD REQUIRE TAXPAYERS TO PURCHASE WORTHLESS ASSETS

The April 7, "Dear Colleague" letter states that "[b]uying back the goodwill [in 53 institutions] would save the taxpayers \$21.8 billion, or 90 percent of the cost of closure." No support is offered for this statement and the OTS is aware of none. For the reasons discussed above no such savings are available. In 1989, Congress declared goodwill worthless for capital purposes; that was the only decision that accorded with economic reality. Paying thrifts that still have supervisory goodwill is no more than a cash give away—substituting taxpayer dollars for a worthless bookkeeping entry.

In many cases, the amount of cash actually invested by a previous acquirer of a thrift is significantly less than the amount the taxpayers would have to pay them under the buy-back proposal. In one case, for example, an initial \$18 million investment created supervisory goodwill of \$636 million. In another, an investment of no actual cash by an acquirer created supervisory goodwill of \$532 million.

4. THE CAPITAL PLAN PROCESS ALREADY DEALS ADEQUATELY WITH GOODWILL

One of the clearest messages that Congress sent when it enacted FIRREA in 1989 was that goodwill does not provide capital support for a financial institution. The legislation included a transition period for thrifts to adjust to these new rules and provides for the creation of plans under which troubled institutions could cure their capital deficiencies. So far, OTS has used the capital plan process successfully to deal with thrifts that are viable but that have supervisory goodwill on their balance sheets. The OTS will continue to do so; there is no reason to change these rules.

5. THE BUY-BACK PROPOSAL WILL COMPLICATE PENDING LITIGATION

OTS and FDIC are currently defending several cases in which savings associations are asserting claims for amounts of their supervisory goodwill. Many of the institutions now litigating against the government are not among the 53 institutions targeted by the buy-back proposal. Indeed, several hundred thrifts currently report goodwill, and 251 of the thrifts already transferred to RTC reported goodwill. It is difficult to discern any principle that warrants treating any of the 53 institutions differently from other thrifts. The selectivity of the proposal is likely to create new arguments against the government in pending cases and to breed potentially hundreds of new claims. Even though we believe these claims would in the end be rejected, they will result in large litigation costs and inject avoidable uncertainty into the thrift cleanup process.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 1992.

Hon. TIMOTHY RYAN,
Director, Office of Thrift Supervision, Washington, DC.

DEAR MR. RYAN: Thank you for your letter yesterday conveying your 5-part analysis of the supervisory goodwill buy-back program I have been advocating since last fall. With your permission House Banking Minority Counsel Mark Brinton has spent many hours at OTS reviewing records to corroborate or disprove your analysis (a privilege not previously made available).

Your claim that the buy-back of supervisory goodwill would have no effect on the resolution of thrifts reporting goodwill is not supported by your arguments, the evidence in your records, or by an understanding of the buy-back program.

A review of the information you have now made available to me suggests that your response is out-dated and faulty. Inasmuch as this is a matter of considerable potential importance, I request that further information be made available to determine more precisely the merits of a goodwill buy-back. It would appear from your analysis that your position on my proposal may have been decided before its potential impact had been fully ascertained, since that still has not yet happened.

My proposal to buy back supervisory goodwill is based on a simple premise: materially improving the capital and earnings of thrifts owning goodwill that will otherwise require taxpayer-assisted resolution could save some of them from that fate and cost to the taxpayer. It is notable that at no point in your analysis do you dispute that any such salvageable institution could be saved at less cost than that of taking it over and selling it. The countervailing costs you cite are either speculative or insignificant in comparison to the enormous potential savings of my proposal.

A point-by-point discussion of the issues raised in your analysis follows:

1. It is surprising that you would say that "The vast majority of these thrifts identified in the April 7 letter are not on any closure list," which is based on the unstated premise that the only thrifts that "are likely to be closed" are those in OTS's Group IV. If the underlying premise were correct, the RTC would only need another \$17 billion to finish its work: about \$7 billion for the thrifts already in conservatorship and about \$10 billion for all of the thrifts in Group IV.

However, the RTC continues to assert that it needs an additional \$72 billion to finish re-

solving all institutions the OTS will send to it for closure. In the meantime, the RTC is willing to take \$42 billion now to pay for the closures between now and April 1, 1993, and the remaining \$30 billion later. This request is based on the expected need to close the thrifts in OTS Groups III-B, III-C, and IV. All 53 thrifts you talk about are in one of those groups.

You claim that "the buy-back proposal would be directed almost exclusively at savings and loans that are not presently threatened with closure." This misrepresents which thrifts would be eligible to participate in the program. One condition of eligibility is your determination "that a conservator or receiver is to be appointed for a savings association," (paragraph (a)(1) of the program), i.e., that it is going to be closed.

Evidently you mistook an argument and estimate I made regarding my proposal for the proposal itself. To estimate the possible number of thrifts and dollars that might be saved, I asked OTS how many goodwill thrifts in Groups III-B, III-C, and IV would have at least 1.5 percent tangible capital, the requirement set in the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). The data you gave me indicated that 68 thrifts in those groups reported goodwill, of which 53 would meet that requirement. In light of the great importance placed on capital in FIRREA and the FDIC Improvement Act of 1991, this information provided a rough idea of the potential of the buy-back, or it might have if the data had been truly responsive.

A footnote to the data indicated that they were derived from a line of the thrift financial report for "Goodwill and Other Intangibles." Despite the potential for other intangibles to skew the data, you have all along assumed that the other intangible amounts were negligible, including in your present analysis. So did I, until just recently discovering from information you have had but had not previously disclosed that only 41 of the 68 institutions you originally identified actually had supervisory goodwill; the rest did not. Your staff confirms that I am correct in this.

In fact, 3 of the 12 Group IV thrifts on which you focus your analysis never did have supervisory goodwill. As you mention, another one was purchased without Government assistance by a bank. On the other hand, you excluded from your analysis another 10 of the 68 that were also in Group IV and previously identified by you as having goodwill. Only 7 of them actually had it, and 2 of those have since been closed. This leaves 13 goodwill institutions in Group IV.

All of this information was available at the time you sent your analysis, yet, except as noted, was overlooked in its preparation. Your substantive analysis appears to suffer from the same superficial quality as your institution identification.

In discussing certain Group IV thrifts that are losing money, you imply that their closure is inevitable. If that were in fact the case, then they would not be eligible for the buy-back. Subparagraph (b)(1)(A) of my proposal states that only a thrift that "would be, in the determination of the Director [of OTS], a viable association, and would not be expected to fail, if the association participates in the program," is eligible to participate. No taxpayers' dollars will subsidize any continuing losses leading to foreseeable failure under the buy-back program.

You mention that sustained improvement in operations of one of the Group IV thrifts (with tangible capital over 2 percent) will en-

able you to reclassify it to Group III. Unless that reclassification is to Group III-A, the RTC will still be asking for money to close it. Incidentally, it would appear from the persistent, significant losses experienced by the only two Group IV thrifts that actually have goodwill and tangible capital over 2 percent that the candidate for reclassification is one of the Group IV thrifts that does not have goodwill. Furthermore, you fail to discuss the sustained improvement in operations the others would be capable of after their capital and earnings are boosted by the buy-back.

Your discussion of the earnings of already-closed and soon-to-be-closed thrifts entirely overlooks the impact of the buy-back on earnings. Goodwill is an asset that thrifts have to amortize, creating an expense, a reduction of earnings. Replacement cash would be an income-producing asset, boosting earnings. It is erroneous to assume that a thrift's earnings would be the same regardless of whether it owned goodwill or had cash in its place.

For example, 3 Group IV thrifts with negative tangible capital and net losses before gain or loss on sale of assets would each have tangible capital of about 3 or 4 percent and positive net income before asset sales (averaging 0.74 percent of total assets) with a goodwill buy-back. It should also be noted that each of these thrifts have good asset quality (weighted classified assets to total valuation allowance under 100, classified assets to total assets of around 5 or less). No information you have allowed me to see gives any indication of "the embedded problems of these thrifts," which you categorically state would make the goodwill buy-back "only a temporary reprieve," and "would serve only as a large subsidy to continuing losses." To the contrary, I suspect these would immediately become Group II institutions, and later perhaps Group I institutions after proving consistent earnings.

Two more of the Group IV thrifts reported losses for the year which were more than explained by goodwill amortization, additional loan loss reserves, and singular, non-recurring expenses occurring in one quarter. Both of these have weighted classified assets to total valuation allowance of significantly under 100, suggesting that large new reserves may not be needed. Adding in new earnings from the replacement cash from the buy-back, each of these thrifts would demonstrate solid core earning potential along with a greatly improved capital position if their goodwill were repurchased.

There are many other examples from the 28 thrifts in Groups III-B and III-C which similarly demonstrate the wisdom and benefit to the taxpayers of buying back goodwill.

I was incredulous to read your assertion that only "earnings, asset quality, and management" are the "fundamentals of the institution" and "will be determinant" in ascertaining the viability of institutions in Group III. Capital and risk management are two other fundamentals which, together with your three, are the five components of the MACRO rating OTS is supposed to use to measure thrifts' health. Furthermore, Federal thrift laws, such as the FDIC Improvement Act of 1991 to which you referred, specifically focus on the importance of capital in determining the viability of an institution. Replacing goodwill with cash can directly or indirectly improve earnings, capital, and risk management.

2. Although you have presented your analysis of my program after the delay in RTC funding began, approval and implementation

of this program will still save more taxpayers' dollars than if this legislative delay were to last for years.

3. In posturing that they buy-back would require taxpayers to purchase worthless assets, you ignore the money that could be saved through not having to send many thrifts to the RTC. Furthermore, you glaringly mischaracterize the transactions in which the goodwill was originally created. Your predecessor agency used goodwill as a cash-substitute in resolving failed institutions at time it was strapped for cash. The amount of goodwill granted then had no more relationship to the investment of the acquirer than the injection of cash from the RTC does to the purchase price of the buyer of today's failed thrifts. RTC's gross cash outlay, just as the Bank Board's allowance of goodwill, simply fills the negative net worth "hole" in a failed institution.

In addition, your discussion of initial cash investment fails to give credit for any non-cash contributions or any subsequent investments by the new owners, including that represented by writing off part of the goodwill each year since it was placed on the books.

4. Your suggestion that the capital plan process already deals adequately with goodwill again ignores the applicability and effect of the program. If a thrift does not have to be closed because it is making progress under a capital plan, it is ineligible for the buy-back program. If the forbearance inherent in the capital plan cannot save the thrift, perhaps a boost to its earnings and capital through the buy-back can.

5. Despite your allegation that the buy-back program would create new arguments and new cases against the government from thrifts that are ineligible for the program, OTS General Counsel Harris Weinstein has acknowledged that the program will have no direct legal bearing on any of those cases. The strongest argument that could be mustered was that it might somehow have a "reverse halo" effect, which can best be described as someone claiming the government owes him or her money simply because it gave money to a group he or she does not belong to.

It makes no sense to give the RTC additional money without giving you the power to save much of it. I will continue to work toward seeing that both you and the RTC are enabled to do the work you need to do.

Sincerely,

BILL MCCOLLUM,
Member of Congress.

Mr. McCOLLUM. Mr. Speaker, I have summarized as best I can the problems. It has taken me a little longer than I would like, but that is the nature again of special order time. I thank my colleagues for your patience. I truly believe if you look at the McCollum supervisory goodwill buyback, you will see that it is common sense, it is taxpayer sense. As I have said many times, it will save up to \$20 billion and 15,000 jobs. It will keep open about 29 institutions that otherwise would be closed. It will make the job of the RTC much simpler, allow us to close it down much sooner than we otherwise would, and certainly save a lot of people grief. It will not make some big institutions happy, but it will certainly make a lot of other people happy and it should make a great many of our constituents happy because it is going to save them billions and billions of dollars.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MINK (at the request of Mr. GEPHARDT) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mr. KYL, for 5 minutes, today.

Mr. DREIER of California, for 5 minutes, today.

(The following Members (at the request of Mr. TAYLOR of Mississippi) to revise and extend their remarks and include extraneous material:)

Mr. MORAN, for 5 minutes, today.

Mr. MAZZOLI, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, on June 9, 16, 23, 30 and July 7, 21, and 28.

Mr. LIPINSKI, for 60 minutes, on June 10, 17, 24 and July 1, 8, 22, and 29.

Mr. WISE, for 60 minutes, on June 9.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. AUCOIN immediately preceding the vote on the Andrews of Maine amendment in the Committee of the Whole, on H.R. 5006, today.

(The following Members (at the request of Mrs. BENTLEY) and to include extraneous matter:)

Mr. PACKARD.

Mr. LEACH.

Mr. SOLOMON.

Mr. GILMAN in two instances.

Mr. INHOFE.

Mr. DREIER of California.

Mr. BEREUTER.

Mrs. BENTLEY in four instances.

Mr. MILLER of Ohio in three instances.

(The following Members (at the request of Mr. TAYLOR of Mississippi) and to include extraneous matter:)

Mr. SOLARZ.

Mr. LANTOS.

Mr. KANJORSKI.

Mr. STARK.

Mr. MOODY.

Mr. ACKERMAN.

Mr. CLEMENT.

Mr. LEVIN of Michigan.

Mr. WEISS.

Ms. DELAURO.

Mr. BACCHUS.

ADJOURNMENT

Mr. MCCOLLUM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 21 minutes p.m.) under its previous order, the House adjourned until Tuesday, June 9, 1992, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3685. A letter from the Secretary, Department of Agriculture, transmitting a draft proposed legislation to amend the Housing Act of 1949 to provide a Rural Housing Voucher Program; to the Committee on Banking, Finance and Urban Affairs.

3686. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to India, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

3687. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 9-222, "District of Columbia Procurement Practices Act of 1985 Council Contract Approval Procedures Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(i); to the Committee on the District of Columbia.

3688. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Donald Burnham Ensenat, of Louisiana, to be Ambassador to Brunei Darussalam; Henry Lee Clarke, of California, to be Ambassador to the Republic of Uzbekistan; John Frank Bookout, Jr., of Texas, to be Ambassador to the Kingdom of Saudi Arabia; Edward Hurwitz, of the District of Columbia, to be Ambassador to the Republic of Kyrgyzstan; Joseph Monroe Segars, of Pennsylvania, to be Ambassador of the Republic of Cape Verde, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3689. A letter from the Secretary, Department of Agriculture, transmitting the semi-annual report of the inspector general for the period October 1, 1991 through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3690. A letter from the Chairman, Federal Housing Finance Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3691. A letter from the Secretary of Labor, transmitting a copy of the semi-annual management report for the period October 1, 1991 through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOAKLEY: Committee on Rules. House Concurrent Resolution 192. Concurrent resolution to establish a Joint Committee on the Organization of Congress; with an

amendment (Rept. 102-550). Referred to the House Calendar.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 4996. A bill to extend the authorities of the Overseas Private Investment Corporation, and for other purposes; with an amendment (Rept. 102-551). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. KENNELLY (for herself, Mr. SPRATT, and Mr. MAVROULES):

H.R. 5333. A bill to provide that, beginning with fiscal year 1994, the President transmit to Congress and Congress consider a budget that requires a balanced budget by fiscal year 1998 and for subsequent fiscal years, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. GONZALEZ:

H.R. 5334. A bill to amend and extend certain laws relating to housing and community development, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. DREIER of California (for himself and Mr. COX of California):

H.R. 5335. A bill to amend the Internal Revenue Code of 1986 to make health insurance more affordable, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, and the Judiciary.

By Mr. ANTHONY (for himself, Mr. LAROCCO, Mr. ALEXANDER, and Mr. STALLINGS):

H.R. 5336. A bill to authorize an exchange of lands in the States of Arkansas and Idaho; jointly, to the Committees on Interior and Insular Affairs, Agriculture, and Merchant Marine and Fisheries.

By Mr. CLEMENT:

H.R. 5337. A bill to amend title II of the Social Security Act to provide for payment of a benefit for the month of the recipient's death; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. MURTHA, Mr. TRAXLER, Mr. ABERCROMBIE, Mr. DURBIN, Mr. ECKART, Mr. EDWARDS of California, Mr. FAZIO, Mr. HOCHBRUECKNER, Ms. HORN, Ms. KAPTUR, Mr. KOPETSKI, Mr. SKAGGS, and Mr. STARK):

H.R. 5338. A bill to balance the budget of the U.S. Government; jointly, to the Committees on Government Operations, Rules, and Ways and Means.

By Mr. PARKER:

H.R. 5339. A bill for the relief of the Wilkinson County School District, in the State of Mississippi; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mrs. VUCANOVICH, Mr. LAFALCE, Mr. HALL of Ohio, Mr. RINALDO, Mr. HYDE, Mr. MARLENEE, Mr. MCCOLLUM, Mr. SCHAEFER, Mr. LIGHTFOOT, Mr. HEFLEY, Mr. BALLENGER, Mr. DORNAN of California, Mr. COBLE, Mr. HUNTER, Mr. BUNNING, Mr. HUTTO, Mr. SANTORUM, Mr. GOSS, Mr. WELDON, Mr. MCGRATH, Mr. GALLEGLY, Mr. RITTER, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. EMERSON, and Mr. DREIER of California):

H.R. 5340. A bill to amend the Public Health Service Act to revise and extend the

programs of the National Cancer Institute, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STARK:

H.R. 5341. A bill to amend the vaccine compensation title of the Public Health Service Act to authorize a sufficient number of special masters for the U.S. Claims Court to enable the court to become current in its caseload by January 1, 1993; to the Committee on Energy and Commerce.

By Mr. SOLOMON:

H.J. Res. 502. Joint resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself, Mr. HANCOCK, and Mr. DANNEMEYER):

H. Con. Res. 330. Concurrent resolution expressing the sense of the Congress that the Federal Government should develop and implement a comprehensive program to prevent further transmission of the human immunodeficiency virus and improve treatment for individuals who are infected with the virus; jointly, to the Committees on Energy and Commerce and the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

476. By the SPEAKER: Memorial of the House of Representatives of the State of Hawaii, relative to the cable television industry; to the Committee on Energy and Commerce.

477. Also, memorial of the House of Representatives of the State of Hawaii, relative to providing a Federal tax credit for renters; to the Committee on Ways and Means.

478. Also, memorial of the House of Representatives of the State of Hawaii, relative to requesting the U.S. Congress to help keep Brown Tree snakes out of Hawaii; jointly, to the Committees on Ways and Means, Merchant Marine and Fisheries, Armed Services, and Public Works and Transportation.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. DARDEN.
 H.R. 371: Mr. ROHRABACHER.
 H.R. 816: Mr. THOMAS of Wyoming.
 H.R. 858: Mr. VISCLOSKEY.
 H.R. 860: Mr. VISCLOSKEY.
 H.R. 1110: Mr. GEREN of Texas.
 H.R. 1468: Mr. ROBERTS.
 H.R. 1474: Mr. LEWIS of Florida, Mr. HYDE, and Mr. DURBIN.
 H.R. 1573: Mr. PICKLE, Mr. THOMAS of Georgia, and Mr. BAKER.
 H.R. 1987: Mr. CAMPBELL of Colorado, Mr. HOAGLAND, Mr. MARKEY, Mr. BORSKI, Mr. BRUCE, Mr. FISH, and Mr. SANGMEISTER.
 H.R. 2223: Mr. SHAYS, Mr. BOEHLERT, Mr. JACOBS, and Mr. WYDEN.
 H.R. 2632: Mr. JOHNSON of South Dakota and Mr. BEILENSEN.

H.R. 2862: Mr. COBLE and Mr. SMITH of Oregon.

H.R. 3198: Mr. NAGLE.

H.R. 3221: Mr. EMERSON, Mr. SKEEN, Mr. BURTON of Indiana, Mr. BARTON of Texas, Mr. BOUCHER, Mrs. MORELLA, Ms. NORTON, Mr. DONNELLY, and Mr. MCGRATH.

H.R. 3360: Mr. WEISS, Mr. WHEAT, Mr. FISH, Mr. HENRY, Mr. MATSUI, Mr. TRAXLER, Mr. BROOMFIELD, Mr. MORAN, Mr. SISISKY, Mr. LEHMAN of Florida, and Mr. LEVIN of Michigan.

H.R. 3450: Mr. SERRANO and Mr. TRAXLER.

H.R. 3486: Mr. GUARINI.

H.R. 3677: Mr. ANDREWS of Maine.

H.R. 3688: Mr. TOWNS, Mr. ATKINS, Mr. SANDERS, and Mr. BROWN.

H.R. 3966: Mr. MOODY.

H.R. 3975: Mr. GIBBONS, Mr. GONZALEZ, Mr. ECKART, Mrs. COLLINS of Michigan, Mr. KILDEE, Mr. ENGEL, and Mr. WYDEN.

H.R. 4109: Mr. BLACKWELL, Mr. OWENS of New York, Mr. JONTZ, Mr. VENTO, Mr. SANDERS, Mr. HOAGLAND, and Mr. FISH.

H.R. 4136: Mr. TRAXLER.

H.R. 4399: Mr. MILLER of California.

H.R. 4529: Mrs. BOXER.

H.R. 4571: Mrs. BOXER.

H.R. 4906: Mr. GUNDERSON.

H.R. 4980: Mr. BORSKI and Mr. HAYES of Illinois.

H.R. 5026: Mrs. MEYERS of Kansas and Mr. LANCASTER.

H.R. 5100: Mr. FROST, Mr. STUDDS, Mr. BONIOR, Mr. DURBIN, Mr. BLACKWELL, Mr. BRYANT, Mr. EVANS, Mr. BOEHLERT, and Mr. LANCASTER.

H.R. 5126: Mr. APPEGATE, Mr. DEFazio, Mr. DORGAN of North Dakota, Mr. GEJDENSON, Mr. HANSEN, Mr. JOHNSON of South Dakota, Mr. KENNEDY, Mr. LEACH, Mr. MARKEY, Mr. MATSUI, Mr. MILLER of Ohio, Mrs. MINK, Mr. MORAN, Mr. OBERSTAR, Mr. PETERSON of Florida, Mr. SABO, Mr. SHUSTER, Mr. SKAGGS, Mr. TRAFICANT, Mr. WEISS, Mr. WISE, Mr. COYNE, Ms. DELAURO, Mr. DURBIN, Mr. HALL of Texas, Mr. HARRIS, Mr. JONTZ, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. MARTINEZ, Mr. MILLER of California, Mr. MINETA, Mr. MONTGOMERY, Mr. NATCHER, Mr. OXLEY, Mr. RAY, Mr. SERRANO, Mr. SISISKY, Mr. SMITH of Iowa, Mr. WALSH, Mr. WILSON, Mr. QUILLEN, Mr. BROOMFIELD, Mr. MYERS of Indiana, Mr. SANTORUM, Mr. SAXTON, Mr. GRADISON, Mr. BALLENGER, Mr. COBLE, Mr. PAXON, Mr. MCCREERY, Mr. DELAY, Mr. UPTON, Mr. SPENCE, Mr. LAGOMARSINO, Mr. ARMEY, Mrs. BENTLEY, Mr. BOEHNER, Mr. DREIER of California, Mr. EMERSON, Mr. GALLO, Mr. GILCREST, Mr. GOODLING, Mr. GRANDY, Mr. GUNDERSON, Mr. GINGRICH, Mr. HANCOCK, Mr. HEFNER, Mr. HOLLOWAY, Mr. HYDE, Mr. INHOFE, Mr. CAMP, Mr. LEWIS of California, Mr. LIVINGSTON, Mr. PACKARD, Mr. RAMSTAD, Mr. RIGGS, Ms. SNOWE, Mr. SOLOMON, Mr. WELDON, Mr. ZELIFF, Mr. WEBER, Mr. MACHTLEY, Mr. BEVILL, Mr. DICKINSON, Mr. EDWARDS of Oklahoma, Mr. FRANKS of Connecticut, Mr. BURTON of Indiana, Mr. HOUGHTON, Mr. LOWERY of California, Mr. ROHRABACHER, Mr. MARTIN, and Mr. HOPKINS.

H.R. 5168: Mr. VANDER JAGT and Mr. WILSON.

H.R. 5170: Ms. HORN, Mr. EVANS, Mr. LANTOS, and Mr. HAYES of Illinois.

H.R. 5208: Mr. PANETTA.

H.R. 5325: Mr. KYL, Mr. GOODLING, Mr. BOEHLERT, and Mr. BOEHNER.

H.J. Res. 1: Mr. HAYES of Illinois, Mr. OWENS of New York, and Mr. ANDREWS of New Jersey.

H.J. Res. 271: Mr. FASCELL, Mr. ANDERSON, Mr. BRYANT, Mr. PARKER, Mr. RAHALL, and Mr. ROSE.

H.J. Res. 391: Mr. LEHMAN of California and Mr. MARTIN.

H.J. Res. 431: Mr. RINALDO, Mr. RANGEL, Mr. MORRISON, Mr. ANDREWS of Maine, Ms. SNOWE, Mr. GEREN of Texas, and Mr. PICKETT.

H.J. Res. 445: Mr. KOPETSKI.

H.J. Res. 453: Mr. HORTON, Mr. HEFNER, Mr. BENNETT, Mr. JONES of North Carolina, Mr. MCCLOSKEY, Mr. GORDON, Mr. MCMILLEN of Maryland, Mr. NEAL of Massachusetts, Mr. CLEMENT, Mr. ERDREICH, Mr. TOWNS, Mr. BLAZ, Mr. EMERSON, Mrs. PATTERSON, Mr. PRICE, Mr. COBLE, Mr. LAGOMARSINO, Mr. VENTO, Mr. GUARINI, Mr. JONES of Georgia, Mr. RANGEL, Mr. HUGHES, Mr. MARTINEZ, Mr. LIPINSKI, Mr. ALEXANDER, Mr. ENGEL, Mr. SKEEN, Mr. BLILEY, and Mr. SERRANO.

H.J. Res. 457: Mr. FOGLIETTA, Mr. HERTEL, Mr. HOCHBRUECKNER, Mr. HUTTO, Mrs. LLOYD, Mr. PETERSON of Florida, Mr. RAY, Mr. SKELTON, Mr. STUDDS, Mr. CONYERS, Mr. BEVILL, Mr. GONZALEZ, Mr. JONES of Georgia, Mr. HAYES of Illinois, Mr. LANTOS, Mr. SARPALIUS, Mr. LEWIS of Florida, Mr. CALAHAN, Mr. FIELDS, Mrs. JOHNSON of Connecticut, Mr. JOHNSON of Texas, Mr. LIGHTFOOT, Mr. MCCANDLESS, Mr. SCHULZE, Mr. SHAW, Mr. WELDON, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. ABERCROMBIE, Mr. BARNARD, Mr. BILBRAY, Mr. BROWDER, Mrs. BYRON, Mr. DELLUMS, Mr. HALL of Texas, and Mr. TANNER.

H.J. Res. 475: Mr. KOPETSKI and Mr. DEFazio.

H.J. Res. 483: Mr. HUGHES.

H.J. Res. 488: Mr. ROTH, Mr. TOWNS, Mr. SKEEN, Mr. HORTON, Mr. ERDREICH, Mr. DARDEN, Mr. BLILEY, Mr. TALLON, Mrs. MINK, Mr. MCMILLEN of Maryland, Mr. BENNETT, Mr. GUARINI, Mr. DE LA GARZA, Mr. LIPINSKI, Mr. WALSH, Mr. FROST, Mr. JONES of Georgia, Mr. HAYES of Illinois, Mr. POSHARD, Mr. ORTON, Mr. EMERSON, Mr. QUILLEN, Mr. HUGHES, and Mr. JEFFERSON.

H.J. Res. 496: Mr. McNULTY, Mr. WISE, Mr. OLVER, and Mr. KOPETSKI.

H. Con. Res. 92: Mr. LUKE, Mr. ERDREICH, Mr. TORRES, Mr. HOPKINS, Mrs. LOWEY of New Jersey, Mr. ANDREWS of New Jersey, Mr. MICHEL, Mr. DORGAN of North Dakota, and Mr. STARK.

H. Con. Res. 180: Mr. CRAMER, Mr. NAGLE, and Mr. KLUG.

H. Con. Res. 296: Mr. JONES of Georgia, Mr. DORGAN of North Dakota, Mr. MOODY, Mr. BURTON of Indiana, Mr. BEILENSEN, Mr. COBLE, Mr. MARLENEE, Mr. HUCKABY, Mr. WILLIAMS, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. SHARP, Mr. GILMAN, Mr. PRICE, Mr. WYDEN, Mr. PAYNE of Virginia, Mr. DWYER of New Jersey, and Mr. DOWNEY.

H. Res. 323: Mr. VENTO.

H. Res. 422: Mr. HUGHES, Mr. RANGEL, Mr. STALLINGS, Mr. BLACKWELL, Mr. LEVINE of California, Mr. FOGLIETTA, Mr. FRANKS of Connecticut, and Mrs. MORELLA.