

Huffington	McInnis	Saxton
Hunter	McKeon	Schaefer
Hutchinson	McMillan	Schiff
Hyde	Meyers	Sensenbrenner
Inglis	Mica	Shaw
Inhofe	Michel	Shays
Istook	Miller (FL)	Shuster
Jacobs	Molinari	Skeen
Johnson (CT)	Moorhead	Smith (MI)
Johnson, Sam	Morella	Smith (NJ)
Kasich	Myers	Smith (OR)
Kim	Nussle	Smith (TX)
King	Oxley	Snowe
Kingston	Packard	Solomon
Klug	Paxon	Spence
Knollenberg	Petri	Stearns
Kolbe	Pombo	Stump
Kyl	Porter	Sundquist
Lazio	Portman	Talent
Leach	Pryce (OH)	Taylor (NC)
Levy	Quillen	Thomas (CA)
Lewis (CA)	Quinn	Thomas (WY)
Lewis (FL)	Rahall	Torkildsen
Lightfoot	Ramstad	Upton
Linder	Ravenel	Walker
Livingston	Regula	Walsh
Machtley	Roberts	Weldon
Manzullo	Rogers	Wolf
McCandless	Rohrabacher	Young (FL)
McCollum	Ros-Lehtinen	Zeliff
McCreery	Roth	Zimmer
McDade	Royce	
McHugh	Santorum	

NOT VOTING—15

Bilirakis	Matsui	Roukema
Brown (CA)	McDermott	Vucanovich
Bunning	Mink	Wise
Conyers	Neal (NC)	Yates
Gibbons	Ridge	Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

98.15 ORDER OF BUSINESS—

AMENDMENTS MODIFICATIONS—

H.R. 2401

On motion of Mr. DELLUMS, by unanimous consent,

Ordered, That, during the further consideration of the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes, pursuant to House Resolution 246, the amendment numbered 3 in Part 3 and the amendment numbered 1 in Part 4 of House Report 103-223 be modified in the following forms:

At the end of title X (page 346, after line 23), insert the following new sections:

SEC. 1043. SHARING DEFENSE BURDENS AND RESPONSIBILITIES.

(a) FINDINGS.—Congress makes the following findings:

(1) Since fiscal year 1985, the budget of the Department of Defense has declined by 34 percent in real terms.

(2) During the past few years, the United States military presence overseas has declined significantly in the following ways:

(A) Since fiscal year 1986, the number of United States military personnel permanently stationed overseas has declined by almost 200,000 personnel.

(B) From fiscal year 1989 to fiscal year 1994, spending by the United States to support the stationing of United States military forces overseas will have declined by 36 percent.

(C) Since January 1990, the Department of Defense has announced the closure, reduction, or transfer to standby status of 840 United States military facilities overseas, which is approximately a 50 percent reduction in the number of such facilities.

(3) The United States military presence overseas will continue to decline as a result of actions by the executive branch and the following initiatives of the Congress:

(A) Section 1302 of the National Defense Authorization Act for Fiscal Year 1993, which required a 40 percent reduction by September 30, 1996, in the number of United States military personnel permanently stationed ashore in overseas locations.

(B) Section 1303 of the National Defense Authorization Act for Fiscal Year 1993, which specified that no more than 100,000 United States military personnel may be permanently stationed ashore in NATO member countries after September 30, 1996.

(C) Section 1301 of the National Defense Authorization Act for Fiscal Year 1993, which reduced the spending proposed by the Department of Defense for overseas basing activities during fiscal year 1993 by \$500,000,000.

(D) Sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, which directed the President to develop a plan to gradually reduce the United States military force structure in East Asia.

(4) The East Asia Strategy Initiative, which was developed in response to sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, has resulted in the withdrawal of 12,000 United States military personnel from Japan and the Republic of Korea since fiscal year 1990.

(5) In response to actions by the executive branch and the Congress, allied countries in which United States military personnel are stationed and alliances in which the United States participates have agreed in the following ways to reduce the costs incurred by the United States in basing military forces overseas:

(A) Under the 1991 Special Measures Agreement between Japan and the United States, Japan will pay by 1995 almost all yen-denominated costs of stationing United States military personnel in Japan.

(B) The Republic of Korea has agreed to pay by 1995, one-third of the won-based costs incurred by the United States in stationing United States military personnel in the Republic of Korea.

(C) The North Atlantic Treaty Organization (NATO) has agreed that the NATO Infrastructure Program will adapt to support post-Cold War strategy and could pay the annual operation and maintenance costs of facilities in Europe and the United States that would support the reinforcement of Europe by United States military forces and the participation of United States military forces in peacekeeping and conflict prevention operations.

(D) Such allied countries and alliances have agreed to more fully share the responsibilities and burdens of providing for mutual security and stability through steps such as the following:

(i) The Republic of Korea has assumed the leadership role regarding ground combat forces for the defense of the Republic of Korea.

(ii) NATO has adopted the new mission of conducting peacekeeping operations and is, for example, providing land, sea, and air forces for United Nations efforts in the former Yugoslavia.

(iii) The countries of western Europe are contributing substantially to the development of democracy, stability, and open market societies in eastern Europe and the former Soviet Union.

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

(1) the forward presence of United States military personnel stationed overseas continues to be important to United States security interests;

(2) that forward presence facilitates efforts to pursue United States security interests on a collective basis rather than pursuing them on a far more costly unilateral basis or receding into isolationism;

(3) the bilateral and multilateral arrangements and alliances in which that forward presence plays a part must be further adapted to the security environment of the post-Cold War period;

(4) the cost-sharing percentages for the NATO Infrastructure Program should be reviewed with the aim of reflecting current economic, political, and military realities and thus reducing the United States cost-sharing percentage; and

(5) the amounts obligated to conduct United States overseas basing activities should decline significantly in fiscal year 1994 and in future fiscal years as—

(A) the number of United States military personnel stationed overseas continues to decline; and

(B) the countries in which United States military personnel are stationed and the alliances in which the United States participates assume an increased share of United States overseas basing costs.

(c) REDUCING UNITED STATES OVERSEAS BASING COSTS.—(1) In order to achieve additional savings in overseas basing costs, the President should—

(A) continue with the reductions in United States military presence overseas as required by sections 1302 and 1303 of the National Defense Authorization Act for Fiscal Year 1993; and

(B) intensify his efforts to negotiate a more favorable host-nation agreement with each foreign country to which this paragraph applies under paragraph (3)(A).

(2) For purposes of paragraph (1)(B), a more favorable host-nation agreement is an agreement under which such foreign country—

(A) assumes an increased share of the costs of United States military installations in that country, including the costs of—

(i) labor, utilities, and services;

(ii) military construction projects and real property maintenance;

(iii) leasing requirements associated with the United States military presence; and

(iv) actions necessary to meet local environmental standards;

(B) relieves the Armed Forces of the United States of all tax liability that, with respect to forces located in such country, is incurred by the Armed Forces under the laws of that country and the laws of the community where those forces are located; and

(C) ensures that goods and services furnished in that country to the Armed Forces of the United States are provided at minimum cost and without imposition of user fees.

(3)(A) Except as provided in subparagraph (B), paragraph (1)(B) applies with respect to—

(i) each country of the North Atlantic Treaty Organization (other than the United States); and

(ii) each other foreign country with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty in that country or the placement of combat equipment of the United States in that country.

(B) Paragraph (1) does not apply with respect to—

(i) a foreign country that receives assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2673) (relating to the foreign military financing program) or under the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(ii) a foreign country that has agreed to assume, not later than September 30, 1996, at least 75 percent of the nonpersonnel costs of United States military installations in the country.

(d) OBLIGATIONAL LIMITATION.—(1) The total amount appropriated to the Department of Defense for Military Personnel, for Operation and Maintenance, and for military construction (including NATO Infrastructure) that is obligated to conduct overseas basing activities during fiscal year 1994 may not exceed \$16,915,400,000 (such amount being the amount appropriated for such purposes for fiscal year 1993 reduced by \$3,300,000,000).

(2) For purposes of this subsection, the term "overseas basing activities" means the activities of the Department of Defense for which funds are provided through appropriations for Military Personnel, for Operation and Maintenance (including appropriations for family housing operations), and for military construction (including family housing construction and NATO Infrastructure) for the payment of costs for Department of Defense overseas military units and the costs for all dependents who accompany Department of Defense personnel outside the United States.

(e) ALLOCATIONS OF SAVINGS.—Any amounts appropriated to the Department of Defense for fiscal year 1994 for the purposes covered by subsection (d)(1) that are not available to be used for those purposes by reason of the limitation in that subsection shall be allocated by the Secretary of Defense for operation and maintenance and for military construction activities of the Department of Defense at military installations and facilities located inside the United States.

SEC. 1044. BURDENSARING CONTRIBUTIONS FROM DESIGNATED COUNTRIES AND REGIONAL ORGANIZATIONS.

(a) IN GENERAL.—Section 1045 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 105 Stat. 1465) is amended—

(1) in subsection (a)—
(A) by striking out "During fiscal years 1992 and 1993, the Secretary" and inserting in lieu thereof "The Secretary"; and

(B) by striking out "Japan, Kuwait, and the Republic of Korea" and inserting in lieu thereof "any country or regional organization designated for purposes of this section by the Secretary of Defense"; and

(2) in subsection (f)—
(A) by striking out "each quarter of fiscal years 1992 and 1993" and inserting in lieu thereof "each fiscal-year quarter";

(B) by striking out "congressional defense committees" and inserting in lieu thereof "Congress"; and

(C) by striking out "Japan, Kuwait, and the Republic of Korea" and inserting in lieu thereof "each country and regional organization from which contributions have been accepted by the Secretary under subsection (a)".

(b) CLERICAL AMENDMENT.—The heading of such section is amended to read as follows:

"SEC. 1045. BURDENSARING CONTRIBUTIONS FROM DESIGNATED COUNTRIES AND REGIONAL ORGANIZATIONS."

SEC. 1045. MODIFICATION OF CERTAIN REPORT REQUIREMENTS.

(a) BIENNIAL NATO REPORT.—Section 1002(d) of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 22 U.S.C. 1928 note), is amended—

(1) by striking out "(1) Not later than April 1, 1990, and biennially each year thereafter" and inserting in lieu thereof "Not later than April 1 of each even-numbered year";

(2) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2); and

(3) by striking out paragraph (2) (following the paragraph (2) designated by paragraph (2) of this subsection).

(b) REPORT ON ALLIED CONTRIBUTIONS.—Section 1046(e) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 105 Stat. 1467; 22 U.S.C. 1928 note) is amended—

(1) by striking out "and" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(4) specifying the incremental costs to the United States associated with the permanent stationing ashore of United States forces in foreign nations."

(c) SENSE OF CONGRESS.—(1) The Congress finds that the Secretary of Defense did not submit to Congress in a timely manner the report on allied contributions to the common defense required under section 1003 of the National Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2577), to be submitted not later than April 1, 1993.

(2) It is the sense of Congress that the timely submission of such report to Congress each year is essential to the deliberation by Congress concerning the annual defense program.

AMENDMENT TO H.R. 2401, AS MODIFIED OFFERED BY MR. SPENCE OF SOUTH CAROLINA (OR HIS DESIGNEE)

After section 1303 of the bill, insert the following new section:

SEC. 1304. ALTERATIONS IN FUNDING FOR DEFENSE CONVERSION, REINVESTMENT, AND TRANSITION ASSISTANCE PROGRAMS.

(a) COMMUNITY ADJUSTMENT AND DIVERSIFICATION.—The amount provided in section 1321(a) (relating to community adjustment and diversification assistance) is hereby increased by \$40,000,000.

(b) OFF-SETTING REDUCTIONS.—The amount specified in the matter preceding the paragraphs in section 1311 for activities of the Department of Defense under chapter 148 of title 10, United States Code, and section 2197 of such title is hereby reduced by \$40,000,000, of which—

(1) 50 percent of such reduction is hereby achieved by reducing the funding for the manufacturing extension program, as provided in paragraph (5) of section 1311, by \$20,000,000; and

(2) 50 percent of such reduction is hereby achieved by reducing the funding for the defense dual-use extension program, as provided in paragraph (6) of such section, by \$20,000,000.

¶98.16 DEFENSE AUTHORIZATION

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 246 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes.

Mr. DURBIN, Acting Chairman of the Committee of the Whole, assumed the chair; and after some time spent therein,

¶98.17 RECORDED VOTE

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

At the end of subtitle A of title II (page 42, after line 23) insert the following new section:

SEC. 203. AIR FORCE SPACE BASED SURVEILLANCE PROGRAM.

The amount provided in section 201 for the Air Force is hereby reduced by \$252,952,000. None of the amount provided in such section shall be available for the program known as Brilliant Eyes.

Strike out section 231 and 232 (page 53, line 10, through page 54, line 15) and insert in lieu thereof the following:

SEC. 231. THEATER MISSILE DEFENSE INITIATIVE.

(a) FUNDING FOR FISCAL YEAR 1994.—Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1994, not more than \$811,300,000 may be obligated for activities of the Theater Missile Defense Initiative.

(b) REPORT.—When the President's budget for fiscal year 1995 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) setting forth the allocation by the Secretary of funds appropriated for the Theater Missile Defense Initiative for fiscal year 1994, and the proposed allocation of funds for the Theater Missile Defense Initiative for fiscal year 1995, shown for each program, project, and activity; and

(2) describing an updated master plan for the Theater Missile Defense Initiative that includes (A) a detailed consideration of plans for theater and tactical missile defense doctrine, training, tactics, and force structure, and (B) a detailed acquisition strategy which includes a consideration of acquisition and life-cycle costs through the year 2006 for the programs, projects, and activities associated with the Theater Missile Defense Initiative.

SEC. 232. BALLISTIC MISSILE DEFENSE ORGANIZATION FUNDING.

(a) TOTAL AMOUNT.—Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1994, not more than \$568,000,000 may be obligated for the Ballistic Missile Defense Organization, of which—

(1) not more than \$400,000,000 shall be available for National Missile Defense programs, projects, and activities; and

(2) not more than \$168,000,000 shall be available for programs, projects, and activities within the Research and Support Activities program element (including the Small Business Innovation Research program and the Small Business Technology Transfer program).

(b) LIMITATIONS.—None of the amounts described in subsection (a) shall be available—

(1) for programs, projects, and activities within the Space-Based Interceptors program element; or

(2) for programs, projects, and activities within the Follow-On Systems program element, including the program known as Brilliant Pebbles.

It was decided in the { Yeas 160
negative } Nays 272

¶98.18 [Roll No. 412] AYES—160

Abercrombie	Blackwell	Clayton
Ackerman	Bonior	Collins (IL)
Andrews (ME)	Brown (CA)	Collins (MI)
Barca	Brown (OH)	Condit
Barcia	Bryant	Coyne
Barrett (WI)	Byrne	de Lugo (VI)
Becerra	Cantwell	DeFazio
Beilenson	Carr	Dellums
Berman	Clay	Dingell