

spect 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 Year 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 "(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.

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. DELAY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 427 Nays 1

108.19 [Roll No. 469] YEAS—427

- Abercrombie Ackerman Allard Andrews (ME) Andrews (NJ) Andrews (TX) Applegate Archer Armev Bacchus (FL) Bachus (AL) Baesler Baker (CA) Baker (LA) Ballenger Barca Barcia Barlow Barrett (NE) Barrett (WI) Bartlett Barton Bateman Becerra Beilenson Bentley Bereuter Berman Bevill Bilbray

- Bilirakis Bishop Blackwell Bilely Blute Boehlert Boehner Bonilla Bonior Borski Boucher Brewster Brooks Browder Brown (CA) Brown (FL) Brown (OH) Bryant Bunning Burton Buyer Byrne Callahan Calvert Camp Canady Cantwell Cardin Carr Castle Chapman Clay Clayton Clement Clinger Clyburn Coble Coleman Collins (GA) Collins (IL) Collins (MI) Combest Condit Conyers Cooper Coppersmith Costello Cox Coyne Cramer Crane Crapo Cunningham Danner Darden de la Garza Deal DeFazio DeLauro DeLay Dellums Derrick Deutsch Diaz-Balart Dickey Dicks Dingell Dixon Dooley Doolittle Dornan Dreier Duncan Dunn Durbin Edwards (CA) Edwards (TX) Emerson Engel English (AZ) English (OK) Eshoo Evans Everett Ewing Farr Fawell Fazio Fields (LA) Fields (TX) Filner Fingerhut Fish Flake Foglietta Ford (TN) Fowler Frank (MA) Franks (CT) Franks (NJ) Frost Furse Gallegly Gallo Gejdenson Gekas Gephardt Geren Gibbons Gilchrest Gillmor Gilman Gingrich Glickman Gonzalez Goodlatte Goodling Gordon Goss Grams Grandy Green Greenwood Gunderson Gutierrez Hall (OH) Hall (TX) Hamburg Hamilton Hancock Hansen Harman Hastert Hastings Hayes Hefley Hefner Herger Hilliard Hinchey Hoagland Hobson Hochbrueckner Hoekstra Hoke Holden Horn Houghton Hoyer Huffington Hughes Hunter Hutchinson Hutto Hyde Inglis Inhofe Inslee Istook Jacobs Jefferson Johnson (CT) Johnson (GA) Johnson (SD) Johnson, E. B. Johnson, Sam Johnston Kanjorski Kaptur Kasich Kennedy Kennelly Kildee Kim King Kingston Kleczka Klein Klink Klug Knollenberg Kolbe Kopetski Kreidler Kyl LaFalce Lambert Lancaster Lantos LaRocco Laughlin Lazio Leach Lehman Foglietta Levin Ford (TN) Fowler Frank (MA) Franks (CT) Franks (NJ) Lightfoot Linder Lipinski Livingston Lloyd Long Lowey Machtley Maloney Mann Manton Manzullo Margolies-Mezvinsky Markey Martinez Matsui Mazzoli McCandless McCloskey McCollum McCrery McCurdy McDermott McHale McHugh McInnis McKeon McKinney McMillan McNulty Meehan Meek Menendez Meyers Mfume Mica Michel Miller (CA) Miller (FL) Mineta Minge Mink Moakley Molinari Mollohan Montgomery Moorhead Moran Morella Murphy Murtha Myers Nadler Natcher Neal (MA) Neal (NC) Nussle Oberstar Obey Olver Ortiz Orton Owens Oxley Packard Pallone Parker Pastor Paxon Payne (NJ) Payne (VA) Pelosi Penny Peterson (FL) Peterson (MN) Petri Pickett Pickle Pombo Pomeroy Porter Portman Poshard Price (NC) Pryce (OH) Quillen Quinn Rahall Ramstad Rangel Ravenel Reed Regula Reynolds Richardson Ridge Roberts Roemer Rogers Rohrabacher

Ros-Lehtinen Slattery Torres
 Rose Slaughter Torricelli
 Rostenkowski Smith (IA) Towns
 Roth Smith (NJ) Traficant
 Roukema Smith (OR) Tucker
 Rowland Smith (TX) Upton
 Roybal-Allard Snow Valentine
 Royce Solomon Velázquez
 Rush Spence Vento
 Sabo Spratt Visclosky
 Sanders Stark Volkmer
 Sangmeister Stearns Vucanovich
 Santorum Stenholm Walker
 Sarpalius Stokes Walsh
 Sawyer Strickland Washington
 Saxton Studts Waters
 Schaefer Stupak Watt
 Schenk Sundquist Waxman
 Schiff Sweet Weldon
 Schroeder Swift Wheat
 Schumer Synar Whitten
 Scott Talent Wilson
 Sensenbrenner Tanner Wise
 Serrano Tauzin Wolf
 Sharp Taylor (MS) Woolsey
 Shaw Taylor (NC) Wyden
 Shays Tejada Wynn
 Shepherd Thomas (CA) Yates
 Shuster Thomas (WY) Young (AK)
 Siskisky Thompson Young (FL)
 Skaggs Thornton Zeliff
 Skeen Thurman Zimmer
 Skelton Torkildsen

NAYS—1

Stump
 NOT VOTING—5

Ford (MI) Smith (MI) Williams
 McDade Unsoeld

So the amendment was agreed to.
 The question being put, *viva voce*,

Will the House agree to the following amendment [the ANDREWS of Maine amendment] on which a separate vote had been demanded?

At the end of title XIII (page 447, after line 6), insert the following section:

SEC. 1360. RESTRICTION ON USE OF DEFENSE CONVERSION FUNDS FOR THE SALE OR TRANSFER OF DEFENSE ARTICLES OR DEFENSE SERVICES.

(a) RESTRICTION.—Except as provided in subsection (b), none of the funds appropriated pursuant to an authorization of appropriations in this Act and made available for defense conversion programs may be used to finance (whether directly or through the use of loan guarantees) the sale or transfer to foreign countries of foreign entities of any defense article or defense service, including defense articles and defense services subject to section 38 of the Arms Export Control Act (22 U.S.C. 2778).

(b) CIVILIAN END-USE.—The Secretary of Defense may grant exemptions from the restriction of subsection (a) with respect to sales or transfers of defense articles or defense services for civilian end-use.

(c) DEFINITIONS.—For purposes of this section:

(1) The term “defense article” has the meaning given that term in paragraph (3) of section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(2) The term “defense service” has the meaning given that term in paragraph (4) of such section.

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. GINGRICH demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 266
 Nays 162

108.20

[Roll No. 470]

AYES—266

Abercrombie Gonzalez Nussle
 Ackerman Gordon Oberstar
 Allard Grams Obey
 Andrews (ME) Grandy Olver
 Andrews (NJ) Green Orton
 Applegate Greenwood Owens
 Baesler Gunderson Pallone
 Ballenger Gutierrez Parker
 Barca Hall (OH) Pastor
 Barcia Hamburg Paxon
 Barlow Hamilton Payne (NJ)
 Barrett (NE) Harman Pelosi
 Barrett (WI) Hastings Penny
 Berra Hefner Peterson (MN)
 Beilenson Hilliard Petri
 Bentley Hinchey Pomeroy
 Bereuter Hoagland Porter
 Berman Hochbrueckner Portman
 Bevil Hoekstra Poshard
 Bilirakis Hoke Price (NC)
 Bishop Holden Pryce (OH)
 Blackwell Horn Quinn
 Boehlert Hoyer Rahall
 Bonior Huffington Ramstad
 Borski Hughes Rangel
 Brewster Insole Ravelle
 Brooks Istook Reed
 Brown (CA) Jacobs Regula
 Brown (FL) Jefferson Reynolds
 Brown (OH) Johnson (SD) Richardson
 Bryant Johnston Roemer
 Byrne Kanjorski Rose
 Cantwell Kaptur Rostenkowski
 Cardin Kasich Roth
 Carr Kennedy Roukema
 Chapman Kennelly Roybal-Allard
 Clay Kildee Royce
 Clayton Kim Rush
 Clement Kleczka Sabo
 Clyburn Klein Sanders
 Coleman Klink Sangmeister
 Collins (GA) Klug Sawyer
 Collins (IL) Knollenberg Saxton
 Collins (MI) Kopetski Schenk
 Condit Kreidler Schiff
 Conyers LaFalce Schroeder
 Cooper Lambert Schumer
 Coppersmith Lantos Scott
 Costello LaRocco Sensenbrenner
 Coyne Lazio Serrano
 Crane Leach Sharp
 Danner Lehman Shepherd
 Deal Levin Skaggs
 DeFazio Lewis (GA) Slaughter
 DeLauro Lipinski Smith (NJ)
 Dellums Lloyd Spratt
 Derrick Long Stark
 Deutsch Lowey Stokes
 Dixon Maloney Strickland
 Dooley Manton Studts
 Duncan Margolies-Sweet
 Dunn Mezvinsky Swift
 Durbin Markey Synar
 Edwards (CA) Martinez Tanner
 Engel Matsui Thompson
 English (AZ) Mazzoli Thornton
 English (OK) McCloskey Thurman
 Eshoo McCurdy Torres
 Evans McDermott Towns
 Farr McHale Traficant
 Fawell McKinney Tucker
 Fazio McMillan Upton
 Fields (LA) Meehan Valentine
 Filner Menendez Velazquez
 Fingerhut Mfume Vento
 Fish Miller (CA) Visclosky
 Flake Miller (FL) Volkmer
 Foglietta Mineta Washington
 Ford (TN) Minge Waters
 Frank (MA) Mink Watt
 Franks (NJ) Moakley Waxman
 Furse Mollohan Wheat
 Gallo Montgomery Whitten
 Gejdenson Moran Wise
 Gephardt Morella Wolf
 Gibbons Murphy Woolsey
 Gilchrist Nadler Wyden
 Gilman Neal (MA) Wynn
 Glickman Neal (NC) Zimmer

NOES—162

Andrews (TX) Bacchus (FL) Baker (LA)
 Archer Bachus (AL) Bartlett
 Arney Baker (CA) Barton

Bateman Hansen Payne (VA)
 Bilbray Hastert Peterson (FL)
 Bliley Hayes Pickett
 Blute Hefley Pickle
 Boehner Herger Pombo
 Bonilla Hobson Quillen
 Boucher Houghton Ridge
 Browder Hunter Roberts
 Bunning Hutchinson Rogers
 Burton Hutto Rohrabacher
 Buyer Hyde Ros-Lehtinen
 Callahan Inglis Rowland
 Calvert Inhofe Santorum
 Camp Johnson (CT) Sarpalius
 Canady Johnson (GA) Schaefer
 Castle Johnson, E.B. Shaw
 Clinger Johnson, Sam Shays
 Coble King Shuster
 Combest Kingston Siskisky
 Cox Kolbe Skeen
 Cramer Kyl Skelton
 Crapo Lancaster Slattery
 Cunningham Laughlin Smith (IA)
 Darden Levy Smith (OR)
 de la Garza Lewis (CA) Smith (TX)
 DeLay Lewis (FL) Snow
 Diaz-Balart Lightfoot Solomon
 Dickey Linder Spence
 Dicks Livingston Stearns
 Dingell Machtley Stenholm
 Doolittle Mann Stump
 Dornan Manzullo Stupak
 Dreier McCandless Sundquist
 Edwards (TX) McCollum Talent
 Emerson McCrery Tauzin
 Everett McHugh Taylor (MS)
 Ewing McInnis Taylor (NC)
 Fields (TX) McKeon Tejada
 Fowler McNulty Thomas (CA)
 Franks (CT) Meek Thomas (WY)
 Frost Meyers Torkildsen
 Gallegly Mica Torricelli
 Gekas Michel Vucanovich
 Geren Molinari Walker
 Gillmor Moorhead Walsh
 Gingrich Murtha Weldon
 Goodlatte Myers Wilson
 Goodling Natcher Yates
 Goss Ortiz Young (AK)
 Hall (TX) Oxley Young (FL)
 Hancock Packard Zeliff

NOT VOTING—5

Ford (MI) Smith (MI) Williams
 McDade Unsoeld

So the amendment was agreed to.
 The question being put, *viva voce*,

Will the House agree to the following amendment [the SKELTON amendment] on which a separate vote had been demanded?

Strike out section 575 (page 198, line 7, through page 206, line 11) and insert in lieu thereof the following:

SEC. 575. POLICY CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

(a) CODIFICATION.—(1) Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:

“§654. Policy concerning homosexuality in the armed forces

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

“(1) Section 8 of article I of the Constitution of the United States commits exclusively to the Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

“(2) There is no constitutional right to serve in the armed forces.

“(3) Pursuant to the powers conferred by section 8 of article I of the Constitution of the United States, it lies within the discretion of the Congress to establish qualifications for and conditions of service in the armed forces.

“(4) The primary purpose of the armed forces is to prepare for and to prevail in combat should the need arise.

“(5) The conduct of military operations requires members of the armed forces to make extraordinary sacrifices, including the ulti-