Mr. Speaker, H.R. 2561 is a well balanced bill which funds the future readiness and modernization requirements of the DOD, while taking steps to ensure that the quality of life of our service members is maintained and enhanced. I urge all of my colleagues to support this bill.

Mr. FROST. Mr. Speaker, I urge adoption of the rule, and I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also urge adoption of this rule and support for the bill.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, and that I be permitted to include tabular and extraneous material.

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

There was no objection.

LIMITING DEBATE ON BARR OF GEORGIA AMENDMENT NO. 4 TO H.R. 2561, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that during consideration of the bill (H.R. 2561) in the Committee of the Whole that, one, all debate time on amendment No. 4 offered by the gentleman from Georgia (Mr. BARR) and the amendments thereto be limited to 60 minutes, equally divided between the gentleman from Georgia (Mr. BARR) and myself; and two, the gentleman from Georgia (Mr. BARR) be allowed to withdraw the amendment prior to action thereupon.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 257 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2561.

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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 consideration of the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise first to ask the membership for their support for this very important bill. It involves the national defense of our country. In doing so, Mr. Chairman, I would like to express my personal appreciation to my colleagues on both sides of the aisle who have been not just cooperative, but who have been truly professional in the best possible sense in presenting their viewpoints regarding a number of items that are very important and will consider as we go forward with the debate.

Most particularly I would like to express my appreciation to my colleague, the gentleman from Florida (Mr. YOUNG) who is the chairman of the full committee. He essentially was my trainer as I assumed this job, for he chaired the committee before I did. He has always reflected the best of professionalism in the work of the Committee on Appropriations, and I want him to know that I intend in the future to emulate him every step of the way if I have the chance to be here as long as he will be here.

I want to express our appreciation for his fine leadership.

To my colleague on the other side of the aisle, the gentleman from Pennsylvania (Mr. MURTHA) who has been my partner in this process every step of the way, he can move a bill in the most expeditious fashion of any Member I know of in the House. Because of that I welcome him to this discussion today.

Mr. Chairman, I have the pleasure today of brining to the floor the fiscal year 2000 Defense appropriations bill. This important legislation will, for the first time in 15 years, provide a real increase in spending for our Nation's Armed Forces.

Congress has made it clear that as we enter the new millennium, we must do everything possible to ensure that we remain the strongest country on Earth. With this bill, we are setting a course that will make America so strong that other countries of the world will realize there are better pathways to economic opportunity than war.

I must say at the outset that the new chairman of this subcommittee is deeply indebted to the former chairman, BILL YOUNG—who now leads the full committee. I am deeply grateful for his leadership and his strong support of this bill.

I would also like to express my deep respect and gratitude to my ranking member and trusted friend, JACK MURTHA. JACK has been more than a colleague—he has been a partner in putting together a bill addressing some of the most urgent needs of our military. JACK, I salute you and I thank you.

Mr. Chairman, this legislation provides $267.9 billion in new discretionary spending authority for FY 2000. It meets all budget authority and outlay limits set in the subcommittee's 302(b) allocation.

This bill provides $17.4 billion more than appropriated in FY 1999 and is $4.6 billion above the administration's FY 2000 budget request.

Let me take a few minutes to outline some of the highlights of this bill:

This legislation provides $72 billion to meet the most critical personnel needs of our military. One of our top priorities has been to improve the training, benefits, and quality of life to ensure that the armed services retain their most valuable asset—the men and women who serve their country in uniform.

There are presently 2.25 million men and women serving in our Armed Forces, Reserves, and National Guard. These personnel, as well our colleagues, will be pleased to know that this bill funds a 4.8-percent pay raise for our troops.

This pay increase will help alleviate the struggle some of our military families face to make ends meet. We are convinced we must do more to attract highly qualified individuals and reward them for making a career out of service to their fellow Americans. With all of the services falling short on recruiting goals. and commanders warning they need even more troops, it is imperative that the Congress and the Pentagon make this one of our top budget priorities for years to come.

We added $592 million in this bill over the administration's budget request to enhance recruiting, retention, and quality of life initiatives for all services, and bonuses for Air Force pilots who sustained America's status as a superpower during the recent Kosovo engagement.

With this bill, Congress is making a commitment to our men and women in uniform saying in essence, ''We intend to support you as you go forward with a great career and promising future serving our country in the armed services.''

The bill provides $93.7 billion for operations and maintenance needs, including $1.8 billion for contingency operations in Asia and Bosnia. My colleagues should also know that this bill contains on funding for peacekeeping efforts in Kosovo.

The bill also includes $37.2 billion for R&D including $3.9 billion for our Nation's ballistic missile defense.

Defense health is funded at $11 billion. Some $484 million is provided for Defense medical research including $175 million for breast cancer research and $75 million for prostate research.

Finally, this package includes $53 billion for procurement. While this bill reaffirms our commitment to a strong national defense, it also reestablishes the important oversight role of the Congress in ensuring that tax dollars are spent both efficiently and effectively.

To that end, the bill recommends cuts of more than $3.7 billion in over 280 line items. The most notable item—and one that has received a great deal of attention as of late—is the bipartisan decision to reduce spending on

the F–22 program by $1.8 billion in the next fiscal year.

This funding, requested by the Air Force, would procure the first six F–22 aircraft. With the broad, bipartisan support of the Speaker, Minority Leader GEPHARDT, Chairman YOUNG, and Ranking Member OBEY, the full committee endorsed the proposal to declare a ''pause'' in the procurement of these aircraft.

While many in the Air Force may question the decision, some of the most prodefense Members of the House are sending an important message. The Air Force has such tremendous needs in so many other areas—air tankers, airlift transports, aerial reconnaissance—that we believe it is imperative for the Air Force to reassess its priorities.

It is important to note that the funding that would have gone for procurement of six F–22's—some $1.8 billion—is being redirected to a wide range of other priorities, including the purchase of eight F–15 fighters, five F–16 fighters, and eight KC–130J Air tanker planes. Additional funds will be used for technological improvements to help our current fighter fleet maintain its air superiority.

Mr. Chairman, in closing, let me say this: It is my view that we have had too many years of reductions in national defense spending. It's time we realize that if America is going to lead for peace and freedom in the world into the next century, we've got to do some with budgets that are strong and reflect our national priorities. This legislation is a positive step in that direction and I strongly encourage its passage today.

To say the least, a great deal of time and energy went into producing this legislation. It literally would not have been possible without the work of some of the finest professional staff on the Hill. I particularly want to thank the following people: Doug Gregory, Tina Jonas, Alicia Jones, Paul Juola, David Kilian, Jenny Mummert, Steven Nixon, David Norquist, Betsy Phillips, Trish Ryan, Greg Walters, and Sherry Young of the subcommittee staff, Also Gregory Dahlberg of the minority staff, and Arlene Willis, Jim Specht, Julie Hooks, Grady Bourn, and David LesStrang on my office staff.

I want to especially note the dedication and tireless effort of both Kevin Roper and Letitia White, who have literally committed the last several months of their lives to this effort.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 2000 (H.R. 2561)
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army	20,841,687	22,006,632	21,475,732	+634,045	-530,900
Pay increase provided in P.L. 106-31	.....	.....	559,533	+559,533	+559,533
Military Personnel, Navy	16,570,754	17,207,481	16,737,072	+166,318	-470,409
Pay increase provided in P.L. 106-31	.....	.....	436,773	+436,773	+436,773
Military Personnel, Marine Corps 2/	6,263,387	6,544,682	6,353,622	+90,235	-191,060
Pay increase provided in P.L. 106-31	.....	.....	177,980	+177,980	+177,980
Military Personnel, Air Force	17,211,987	17,899,685	17,565,811	+353,824	-333,874
Pay increase provided in P.L. 106-31	.....	.....	471,892	+471,892	+471,892
Reserve Personnel, Army	2,167,052	2,270,964	2,235,055	+68,003	-35,909
Pay increase provided in P.L. 106-31	.....	.....	40,574	+40,574	+40,574
Reserve Personnel, Navy	1,426,663	1,446,339	1,425,210	-1,453	-21,129
Pay increase provided in P.L. 106-31	.....	.....	29,833	+29,833	+29,833
Reserve Personnel, Marine Corps	406,616	409,189	403,822	-2,794	-5,367
Pay increase provided in P.L. 106-31	.....	.....	7,820	+7,820	+7,820
Reserve Personnel, Air Force	852,324	881,170	872,978	+20,654	-8,192
Pay increase provided in P.L. 106-31	.....	.....	13,143	+13,143	+13,143
National Guard Personnel, Army	3,489,987	3,570,639	3,486,427	-3,560	-84,212
Pay increase provided in P.L. 106-31	.....	.....	70,416	+70,416	+70,416
National Guard Personnel, Air Force	1,377,109	1,486,512	1,456,248	+79,139	-30,264
Pay increase provided in P.L. 106-31	.....	.....	30,462	+30,462	+30,462
Total, title I, Military Personnel 4/	70,607,566	73,723,293	72,011,977	+1,404,411	-1,711,316
Pay increase provided in P.L. 106-31	.....	.....	1,838,426	+1,838,426	+1,838,426
Total funding available	70,607,566	73,723,293	73,850,403	+3,242,837	+127,110
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	17,185,623	18,610,994	19,629,019	+2,443,396	+1,018,025
(By transfer - National Defense Stockpile)	(50,000)	(50,000)	(50,000)	.....	.....
(By transfer - Pentagon Renovation Transfer Fund)	(-96,000)	.....	.....	(+96,000)	.....
Operation and Maintenance, Navy	21,872,399	22,188,715	23,029,584	+1,157,185	+840,869
(By transfer - National Defense Stockpile)	(50,000)	(50,000)	(50,000)	.....	.....
(By transfer - Pentagon Renovation Transfer Fund)	(-32,087)	.....	.....	(+32,087)	.....
Operation and Maintenance, Marine Corps	2,578,718	2,558,929	2,822,004	+243,286	+263,075
(By transfer - Pentagon Renovation Transfer Fund)	(-9,513)	.....	.....	(+9,513)	.....
Operation and Maintenance, Air Force	19,021,045	20,313,203	21,641,099	+2,620,054	+1,327,896
(By transfer - National Defense Stockpile)	(50,000)	(50,000)	(50,000)	.....	.....
(By transfer - Pentagon Renovation Transfer Fund)	(-52,200)	.....	.....	(+52,200)	.....
Operation and Maintenance, Defense-Wide	10,914,076	11,419,233	11,401,733	+487,657	-17,500
(By transfer - Pentagon Renovation Transfer Fund)	(-90,020)	.....	.....	(+90,020)	.....
Operation and Maintenance, Army Reserve	1,202,622	1,369,213	1,513,076	+310,454	+143,863
Operation and Maintenance, Navy Reserve	957,239	917,647	969,478	+12,239	+51,831
Operation and Maintenance, Marine Corps Reserve	117,893	123,266	143,911	+26,018	+20,645
Operation and Maintenance, Air Force Reserve	1,747,696	1,728,437	1,788,091	+40,395	+59,654
Operation and Maintenance, Army National Guard	2,678,015	2,903,549	3,103,642	+425,627	+200,093
Operation and Maintenance, Air National Guard	3,106,933	3,099,618	3,239,438	+132,505	+139,820
Overseas Contingency Operations Transfer Fund	439,400	2,387,600	1,812,600	+1,373,200	-575,000
United States Court of Appeals for the Armed Forces	7,324	7,621	7,621	+297	.....
Environmental Restoration, Army	370,640	378,170	378,170	+7,530	.....
Environmental Restoration, Navy	274,600	284,000	284,000	+9,400	.....
Environmental Restoration, Air Force	372,100	376,800	376,800	+4,700	.....
Environmental Restoration, Defense-Wide	26,091	25,370	25,370	-721	.....
Environmental Restoration, Formerly Used Defense Sites	225,000	199,214	209,214	-15,786	+10,000
Overseas Humanitarian, Disaster, and Civic Aid	50,000	55,800	55,800	+5,800	.....
Former Soviet Union Threat Reduction	440,400	475,500	456,100	+15,700	-19,400
Pentagon Renovation Transfer Fund (by transfer)	(279,820)	.....	.....	(-279,820)	.....
Quality of Life Enhancements, Defense 3/	455,000	1,845,370	800,000	+345,000	-1,045,370
Total, title II, Operation and maintenance	84,042,814	91,268,249	93,686,750	+9,643,936	+2,418,501
(By transfer)	(150,000)	(150,000)	(150,000)	.....	.....
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army	1,388,268	1,229,888	1,590,488	+202,220	+360,600
Missile Procurement, Army	1,226,335	1,358,104	1,272,798	+46,463	-85,306
Procurement of Weapons and Tracked Combat Vehicles, Army	1,548,340	1,416,765	1,556,665	+8,325	+139,900
Procurement of Ammunition, Army	1,065,955	1,140,816	1,228,770	+162,815	+87,954
Other Procurement, Army	3,339,486	3,423,870	3,604,751	+265,265	+180,881
Aircraft Procurement, Navy	7,541,709	8,228,655	9,168,405	+1,626,696	+939,750
Weapons Procurement, Navy	1,211,419	1,357,400	1,334,800	+123,381	-22,600
Procurement of Ammunition, Navy and Marine Corps	484,203	484,900	537,600	+53,397	+52,700
Shipbuilding and Conversion, Navy	6,035,752	6,678,454	6,656,554	+620,802	-21,900
Other Procurement, Navy	4,072,662	4,100,091	4,252,191	+179,529	+152,100
Procurement, Marine Corps	874,216	1,137,220	1,333,120	+458,904	+195,900
Aircraft Procurement, Air Force	8,095,507	9,302,086	8,298,313	+202,806	-1,003,773
Missile Procurement, Air Force	2,069,827	2,359,608	2,329,510	+259,683	-30,098
Procurement of Ammunition, Air Force	379,425	419,537	481,837	+102,412	+62,300
Other Procurement, Air Force	6,960,483	7,085,177	6,964,227	+3,744	-120,950
Procurement, Defense-Wide	1,944,833	2,128,967	2,286,368	+341,535	+157,401

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 2000 (H.R. 2561)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Guard and Reserve Equipment	352,000		130,000	-222,000	+130,000
Defense Production Act Purchases			5,000	+5,000	+5,000
Total, title III, Procurement	48,590,420	51,851,538	53,031,397	+4,440,977	+1,179,859
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army	5,031,788	4,426,194	5,148,093	+116,305	+721,899
Research, Development, Test and Evaluation, Navy	8,636,649	7,984,016	9,080,580	+443,931	+1,096,264
Research, Development, Test and Evaluation, Air Force	13,758,811	13,077,829	13,709,233	-49,578	+631,404
Research, Development, Test and Evaluation, Defense-Wide	9,036,551	8,609,289	8,930,149	-106,402	+320,860
Developmental Test and Evaluation, Defense	258,606	253,457	271,957	+13,351	+18,500
Operational Test and Evaluation, Defense	34,245	24,434	29,434	-4,811	+5,000
Total, title IV, Research, Development, Test and Evaluation	36,756,650	34,375,219	37,169,446	+412,796	+2,794,227
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds	94,500	90,344	90,344	-4,156	
Transfer stockpile balances to working capital fund		67,000			-67,000
National Defense Sealift Fund:					
Ready Reserve Force	311,266	257,000	257,000	-54,266	
Acquisition	397,100	97,700	472,700	+75,600	+375,000
(Transfer out)	(-28,800)			(+28,800)	
Total	708,366	354,700	729,700	+21,334	+375,000
Total, title V, Revolving and Management Funds	802,866	512,044	820,044	+17,178	+308,000
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program:					
Operation and maintenance	9,727,985	10,477,687	10,471,447	+743,462	-6,240
Procurement	402,387	356,970	356,970	-45,417	
Research and development	19,500		250,000	+230,500	+250,000
Total, Defense Health Program	10,149,872	10,834,657	11,078,417	+928,545	+243,760
Chemical Agents & Munitions Destruction, Army: 1/					
Operation and maintenance	491,700	593,500	492,000	+300	-101,500
Procurement	115,670	241,500	116,000	+330	-125,500
Research, development, test, and evaluation	172,780	334,000	173,000	+220	-161,000
Total, Chemical Agents	780,150	1,169,000	781,000	+850	-388,000
Drug Interdiction and Counter-Drug Activities, Defense	735,582	788,100	883,700	+148,118	+95,600
Office of the Inspector General	132,064	140,844	140,844	+8,780	
Total, title VI, Other Department of Defense Programs	11,797,668	12,932,601	12,883,961	+1,086,293	-48,640
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund	201,500	209,100	209,100	+7,600	
Intelligence Community Management Account	129,123	149,415	144,415	+15,292	-5,000
Transfer to Dept of Justice	(27,000)	(27,000)	(27,000)		
Payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund	25,000	15,000	15,000	-10,000	
National Security Education Trust Fund	3,000	8,000	8,000	+5,000	
Total, title VII, Related agencies	358,623	381,515	376,515	+17,892	-5,000
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (sec. 8005)	(1,650,000)	(2,000,000)	(2,000,000)	(+350,000)	
Indian Financing Act incentives (sec. 8024)	8,000		8,000		+8,000
FFRDC's/consultants (sec. 8034)	-62,000			+62,000	
Disposal & lease of DOD real property (sec. 8040)	25,000	32,200	32,200	+7,200	
Overseas Military Fac Investment Recovery (sec. 8044)	38,000	4,300	4,300	-33,700	
Rescissions (sec. 8058)	-415,909		-612,987	-197,078	-612,987
Lapsed rescission	67,000			-67,000	
Fisher Houses	1,000			-1,000	
Division B - omnibus general provision (sec. 104)	2,000			-2,000	
Travel Cards (H. 8123))	5,000	5,000	5,000		
Defense reform initiative (DRI) Title II savings	-70,000			+70,000	
FY 1999 Procurement inflation Savings	-400,600			+400,600	
FY 1999 Economic Adjustment (rescission) (H. 8091)			-452,100	-452,100	-452,100
National Defense stockpile transaction fund asset sale credit	-100,000			+100,000	
Ship Transfers (FY99 with FY2000 carryover)	-636,850	-170,000	-170,000	+466,850	

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 2000 (H.R. 2561)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement Reductions	-142,100			+142,100	
Foreign Currency Fluctuations (H. 8101)	-193,600		-171,000	+22,600	-171,000
Fuel Repricing	-502,000			+502,000	
Division B - omnibus general provision (sec. 105)	-67,000			+67,000	
Ellsworth AFB claims sup general provision	8,000			-8,000	
A-76 Studies (H. 8109)			-100,000	-100,000	-100,000
WMD consequence management (H. 8113)			50,000	+50,000	+50,000
Information Assurance (H. 8114)			150,000	+150,000	+150,000
Women in Service for America Memorial (H. 8099)			5,000	+5,000	+5,000
Guard Disaster Response (H. 8112)			20,000	+20,000	+20,000
Recovery of DoD admin expenses from FMS (H. 8127)			-87,000	-87,000	-87,000
Spectrum auction (H. 8128)					
Total, title VIII	-2,436,059	-128,500	-1,318,587	+1,117,472	-1,190,087
Grand total (before emergency funding)	250,520,548	264,915,959	268,661,503	+18,140,955	+3,745,544
Pay increase provided in Supplemental			1,838,426	+1,838,426	+1,838,426
Total funding available	250,520,548	264,915,959	270,499,929	+19,979,381	+5,583,970
DOD-WIDE SAVINGS		-1,650,000			+1,650,000
EMERGENCY FUNDING					
Emergency funding (P.L. 105-277):					
Title I - Readiness	5,893,053			-5,893,053	
Title II - Antiterrorism	528,927			-528,927	
Title III - Y2K conversion	1,100,000			-1,100,000	
Supplemental (H.R. 1141)	8,573,969			-8,573,969	
Total, Emergency funding	16,095,949			-16,095,949	
Adjusted total (including emergency funding)	266,616,497	263,265,959	270,499,929	+3,883,432	+7,233,970

1/ Included in Budget under Procurement title.

2/ FY 2000 budget request was increased by $3,000,000 for a mistake in the budget appendix.

3/ FY 2000 budget amendment added $1,845,370,000.

4/ The total recommended for Title I was reduced by $1,838,426,000, the amount provided in the FY 1999 Supplemental for advance funding of pay and retirement reform initiatives.

CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Adjustment for unapprop'd balance transfer (Stockpile)	150,000	150,000	150,000		
Stockpile collections (unappropriated)	-150,000	-150,000	-150,000		
Emergency funding	-7,521,980			+7,521,980	
Emergency funding	-8,573,969			+8,573,969	
Spectrum auction			-2,600,000	-2,600,000	-2,600,000
Total adjustments	-16,095,949		-2,600,000	+13,495,949	-2,600,000
Adjusted total (incl scorekeeping adjustments)	250,520,548	263,265,959	267,899,929	+17,379,381	+4,633,970
RECAP BY FUNCTION					
Mandatory	201,500	209,100	209,100	+7,600	
General purpose discretionary	250,319,048	263,056,859	267,690,829	+17,371,781	+4,633,970
RECAPITULATION					
Title I - Military Personnel	70,607,566	73,723,293	72,011,977	+1,404,411	-1,711,316
Title II - Operation and Maintenance	84,042,814	91,268,249	93,686,750	+9,643,936	+2,418,501
(By transfer)	(150,000)	(150,000)	(150,000)		
Title III - Procurement	48,590,420	51,851,538	53,031,397	+4,440,977	+1,179,859
Title IV - Research, Development, Test and Evaluation	36,756,850	34,375,219	37,169,446	+412,796	+2,794,227
Title V - Revolving and Management Funds	802,866	512,044	820,044	+17,178	+308,000
Title VI - Other Department of Defense Programs	11,797,868	12,932,601	12,883,961	+1,086,293	-48,640
Title VII - Related agencies	358,623	381,515	376,515	+17,892	-5,000
Title VIII - General provisions	-2,436,059	-128,500	-1,318,587	+1,117,472	-1,190,087
DoD-wide savings		-1,650,000			+1,650,000
Total, Department of Defense	250,520,548	263,265,959	268,661,503	+18,140,955	+5,395,544
Scorekeeping adjustments			-2,600,000	-2,600,000	-2,600,000
Total funds provided in this Act	250,520,548	263,265,959	266,061,503	+15,540,955	+2,795,544
Funds provided in Supplemental Acts	16,095,949		1,838,426	-14,257,523	+1,838,426
Total funds available for DoD	266,616,497	263,265,959	267,899,929	+1,283,432	+4,633,970

These figures include $16,095,949,000 in FY 1999 emergency defense funding included in P.L. 105-277, Omnibus Consolidated and Emergency Appropriations for FY 1999, and P.L. 106-31, Emergency Supplemental Appropriations for FY 1999; and $1,838,426,000 in FY 2000 emergency defense funding also included in P.L. 106-31.

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

Mr. MURTHA. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, the administration has two principal objections to this bill. The first is that they oppose the committee decision to cut out funds for the production of the F–22, and I flatly disagree with them on that. I think the committee has made the right choice.

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Secondly, the administration opposes a number of decisions that inflate the cost of this bill. This bill, in fact, comes in about $16 billion over last year, and on that I largely agree with the administration.

I will be voting against this bill because Congress, primarily the authorizing committee, has refused to act on another round of base closings, which could save us about $20 billion by the year 2005. We have seen use of budget gimmickry to artificially inflate the size of this bill, and for those reasons, I do not feel comfortable at this time in supporting this bill.

But I do want to say that I think the committee deserves the support of the House and its congratulations for making the correct decision on the F–22. The F–22, no doubt about it, is a beauty of an airplane. It is like a Jaguar or a Cadillac. It would be a great plane to have if we had all of the money in the world, but the problem is that its costs are taking off faster than the airplane is expected to if it is ever constructed.

Secondly, the General Accounting Office says that we certainly do not need it yet for a good number of years.

And thirdly, it is a $40 billion cancer which is eating a hole in the ability of the Air Force to meet a number of other high priority items. It gets in the way of high priority items such as additional jammers to protect our planes; it gets in the way of our ability to buy more tankers; it gets in the way of our ability to increase or transport capacity. So for those and a lot of other reasons.

I simply want to congratulate the gentleman from California and the gentleman from Pennsylvania. I think they have made the right choices for the right reasons, and I think this is a pro-defense action taken by the committee, and I would hope that the Congress would stick with that decision through the process.

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

In the tradition of the gentleman from Florida (Mr. YOUNG), our chairman, and when I was in charge here, I want to compliment the gentleman from California (Mr. LEWIS) for how fast he learned this job.

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

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of this bill, I thank the gentleman for yielding the time, and I will be brief. This is a good bill.

This committee has worked extremely hard to do the right thing for America and for those who serve in our Armed Forces who keep America strong. This bill is a commitment on the part of the gentleman from California (Mr. LEWIS), the chairman of this subcommittee, who has done an outstanding job in bringing together all of the thousands and thousands of issues that he is faced with as he proceeds with the development of this appropriations bill. He has done a remarkable job, and I applaud him and compliment him for having done so.

Also, to the gentleman from Pennsylvania (Mr. MURTHA), there is no Republican and there is no Democrat on this Appropriations Committee who relates more to national defense. The gentleman is the epitome of that. His commitment is to the security of our Nation and to the well-being of those who serve in uniform.

Just one more point without getting into the details of the bill. All of us on this committee have a commitment to do the very best we can to avoid getting into any wars or battles or combat by having a strong force. We are also committed to the proposition that if our Americans in uniform must go to war, must go to battle, that they will go, having had the very best training that can possibly be available to them, to have the very best weapons possible available to them to accomplish their mission and to give themselves protection at the same time. And that if we do, indeed, have to go to battle again, that we go with such a strong force, that we accomplish our mission while keeping our casualties at an extremely, extremely low rate.

Mr. Chairman, the gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA) deserve just tremendous commendations, as do their staff. Having chaired this committee for the last 4 years, I can tell my colleagues that the staff have been so diligent, have put in so many hours and worked so hard, and they deserve a tremendous compliment as well.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to address H.R. 2561, the Defense Appropriations for FY 2000. This bill provides $266.1 billion for Defense Appropriations, which represents a significant increase in defense spending. In general this bill addresses many of the concerns which face the Department of Defense, including military pay and benefits, readiness, and modernization shortfalls.

It is clear from my interaction with the men and women in service to the nation's defense that they continually serve our nation with unwavering dedication. Whether it is in service to the refugees displaced from Kosovo, on guard at the border between North and South Korea, or in the skies over Iraq; our servicemen and servicewomen represent our nation and our values. Mr. Chairman, they are truly this nation's best ambassadors.

Our nation owes our service members praise and thanks for the outstanding mission that they recently performed in the Balkans. I hope that this body will recognize General Wesley Clark for the extraordinary effort performed by him and the men and women he commanded during the operation.

Mr. Chairman, I am pleased that this bill addresses some of the concerns of our service members. The bill appropriates funds for a 4.8% pay increase for military personnel. The increase is 0.5% more than the Employment Cost Index—an index used by the private sector to calculate wage increases—and will reduce the current pay gap between the military and the private sector to 13%. The bill also contains a series of increases of special pay and bonuses, including increases of: $300 million in aviation continuation pay; $225 million for the basic allowance for housing; $39 million for enlistment bonuses; and $28 million for selective reenlistment bonuses, including increasing monthly pay for diving duty, raising maximum bonuses for officers involved with nuclear programs, and increasing foreign language proficiency pay. All these measures are designed to attract the best candidates for our armed services and to bolster efforts to entice already qualified service members to remain in their respective services.

This appropriation also includes funding for the Defense Health Program. The bill appropriates $11.1 billion to these initiatives, including $357 million for procurement and $250 million for research. The total also includes $175 million in funding for breast cancer-related research and treatment, and $75 million for basic and clinical prostate cancer research. It also allocates $19 million for research into gulf war illnesses, equal to the president's request.

In addition, Mr. Chairman, this appropriation bill also addresses readiness and modernization issues. This bill provides $3.9 billion for ballistic missile defense, but does not mandate the establishment of a national missile defense system. It also includes funding for upgrades to existing B–2 Stealth bombers, almost $1.0 billion for upgrades and new purchases of existing Air Force fighter aircraft; funding for a new submarine; and additional appropriations for ammunition and other munitions depleted during our recent conflict with Yugoslavia.

Mr. Chairman, though I am pleased to see the upgrades and new purchases of fighter aircraft, I was disappointed by the decision of the committee not to fund procurement of the F–22 fighter plane. The F–22 is the Air Force's planned next generation, premier fighter, intended to replace the F–15, and designed to have both air-to-air and air-to-ground fighter capabilities. The aircraft has been the centerpiece of the Air Force's modernization program for the past decade.

Richard Cohen, Secretary of Defense, has indicated that the cancellation of the F–22 will mean that the United States cannot guarantee air superiority in future conflicts. The F–15 and other fighters in the American arsenal will not provide the same dominance now enjoyed by the United States and any proposed upgrade will cost the same as the F–22 program. The F–22 is critical to the Air Forces mission to

maintain air superiority in the 21st century, as there are at least five foreign fighters already starting to eclipse the F–15. If nothing else can be learned from NATO's recent victory in the Balkans, it is that air superiority works.

I will support H.R. 2561 and I ask my colleagues to consider full funding for the F–22 program.

Mr. GEPHARDT. Mr. Chairman, I rise today in support of the FY 2000 Defense Appropriations bill. This legislation goes a long way in ensuring our country's military air superiority well into the future.

An important element of this bill is the $440 million directed for the purchase of eight F–15E strike fighters. As many of us know, the F–15 was the dominant aircraft in the Persian Gulf and Kosovo conflicts, and remains the most lethal and effective fighter in the world. It has maintained a perfect air combat record of 100 victories and zero losses since its introduction into the fleet. And with the upgrades funded by this legislation, this record can be extended well into the future. I am proud to note that the F–15's record of victory is due in large part to the men and women who build this aircraft for the Boeing Company in my hometown of St. Louis.

The F–22, the Air Force's next-generation fighter aircraft that has been in development since the 1980s, has encountered problems in its cost and development schedule. Given these circumstances, it is essential that the Air Force preserve a high quality and robust strike fighter for the foreseeable future. Continued production of the F–15E aircraft is the only way to accomplish this goal.

I commend the members of the Appropriations Committee for their responsible actions to ensure that we retain and enhance the capabilities required to protect America's security into the next century. I urge my colleagues to support this decision, and vote for this bill.

Mr. HOYER. Mr. Chairman, I rise in support of this bill and applaud the work of both the chairman, Mr. LEWIS and the ranking member, Mr. MURTHA. I believe the priorities which they have established in this bill are good for both our nation and for our nation's defense.

Mr. Chairman, we are preparing to enter the 15th consecutive year of real decline in defense spending. I am one of those who believes that we cannot continue to put the military at risk.

The funding constraints imposed by the balanced budget agreement make our choices more difficult. However, we still must ensure that other priorities do not drive us away from one of the primary responsibilities this Congress has, and that is ensuring our nation's defense.

The difficult choices Chairman LEWIS and ranking member MURTHA had to make in developing the bill before us demonstrate the bipartisan spirit and dedication to the commitment all of us must follow when it comes to providing for the security of our nation.

We all realize that the United States holds a unique position in the world. People all over the globe look to us for security and stability. It may not be fair, but it is reality.

While our military forces are shrinking, operations around the world are increasing. The increased pace of peacekeeping, humanitarian relief, and other operations is forcing our Armed Forces to do more wiht less. However, doing more with less is not always conducive with ensuring the long term readiness of our armed services.

Our forces which have served admirably in support of our operations in Kosovo and in Bosnia, as well as our continued enforcement of the no-fly zone over Iraq, are just some of the recent examples of our global leadership and responsibility. I continue to support our deployment of troops in these regions and believe the work they are accomplishing makes America a better place and the world a safer one.

I say to both the chairman and the ranking member that their priorities are right for our nation, we need to stand up for those priorities and pursue them.

I support this bill to appropriate $266 billion for critical defense needs in fiscal year 2000 and want to commend the committee for what is in the bill before us:

A 4.8% military pay raise. Mr. Chairman, I support this well deserved raise and look forward to my colleagues supporting pay parity for our federal employees. As you know, the House included a provision, which I sponsored, in the recently passed emergency supplemental, that calls for pay parity between military and civilian employees.

The reform of military retirement and special pay and bonuses that will give our military personnel greater incentives to stay until retirement.

$576 million for continued development of the joint strike fighter.

$2.7 billion for 36 F–18E/F aircraft for the Navy.

$856 million for 11 V–22 Osprey aircraft for the Marines.

$272 million for upgrades to the EA–6 prowler.

$207 million for 19 black hawk helicopters for the Army, National Guard and $130 million for desperately needed unfunded equipment for the National Guard.

In addition, I am especially proud of the committee's funding of important medical research including: $175 million for breast cancer research; and $75 million for prostate cancer research.

I applaud the committee for funding these DOD priorities and for addressing the needs of our men and women in the armed services.

Mr. LARSON. Mr. Chairman, I rise today to speak about this year's Defense Appropriations bill. I would like to commend Chairman LEWIS and Ranking Member Murtha on the hard work they have done to craft this legislation.

For the most part, this is a good piece of legislation. It addresses the serious need to deal with pay parity for our servicemen and women with a 4.8 percent pay increase for military personnel. The bill fully funds critical submarine programs and also includes funding to study the conversion of our ballistic missile submarines to conventional weapons platforms. It funds the army's crucial requirements for advanced helicopter procurements and research and development. Finally, it contains funding to test and certify new ejection seat technology for the Air Force. Technology has advanced significantly in this area and we can now filed a new pilot ejection system which can protect the lives of our pilots at greater speeds and heights, as well as smaller pilots than current models. the Committee has recognized these important issues and as unfailingly addressed them.

However, there is one particular part of the bill about which I have grave concerns for the continued nation. It provides no funding at all for the Air Force's F–22 advanced tactical fighter program. The F–22 modernization program is critical to the Air Force's mission to maintain air superiority in the 21st century.

Since this cut was announced, I have met personally with Air Force Secretary Whitten Peters and Spoken with Air Force Chief of Staff General Michael Ryan. As a member of the Armed Services Committee I have sat through numerous classified threat briefings which demonstrate the critical need for this airplane, including several over the last two weeks specifically about the F–22.

Yesterday morning I flew to Langley Air Force Base in Virginia to meet specifically with members of the First Fighter Wing's 94th Squadron under the command of General Ralph Eberhart. I spent the morning talking with several F–15 fighter pilots and crew chiefs. I think what they said needs to be part of this debate. So, I'd like to break for a minute from the political rhetoric that has clouded this issue and talk to you about what our airmen and women in the trenches have to say.

Simply put, after an extended and victorious air campaign in the former Yugoslavia, members of this body are about to send a clear message to our pilots that we are unwilling to spend money to save lives. I guarantee that if, god forbid, we had lost an F–15 in that conflict, we would not be standing here having this debate today.

The Air Force has ruled the skies and provided air superiority for all branches of the service for over 50 years. We cannot take this for granted and be lulled to sleep by our past success. The F–15 is clearly a great airplane. But the fact is that at least 5 foreign fighters are already starting to eclipse its technological envelope. Even more dangerous is the capability of advanced surface-to-air missiles like the Russian SA10, for sale openly on the international market.

I have continually heard the argument that the answer is to upgrade the F–15 fleet with more technology. I asked the pilots if this was true. They told me that you can't bolt enough technology onto the craft for it to out-class emerging fighters and SAMs. the crew chiefs were clear that most aircraft would not be able to structurally take a major upgrade. Did you know that spare parts to maintain the F–15 are so hard to get now that most squadrons ground one fully functional aircraft just to strip for spare parts? It will cost about 440 million per plane to upgrade the F–15 fleet, and there is no way to retrofit stealth technology. Spending money to upgrade the F–15 will get you an airplane with 1/3 the capabilities of the F–22 for 90 percent of the price.

Survivability is the key to a successful aircraft. The ability of the F–22 to cruise faster than the speed of sound without wasting fuel and using afterburners and its stealth capabilities are the key to survivability in the next century. The best we can hope for in upgrading the F–15 is near parity in the air. No one wants to enter a situation without an advantage where another person can kill you, and I cannot have it on my conscious to know that this Congress is asking exactly that of America's pilots.

Some have argued that we will maintain air superiority because we will still be flying at a five to one numerical advantage against potential enemy threats. This is a reversal to the

Russian policy during the Cold War to build low-tech weapons in mass quantities on the premises that numbers would prevail. America took the initiative to provide our soldiers with the best technological equipment available, and it is under the legacy and success of that policy that we have the luxury to hold this debate today. I would not want my son or daughter to be the acceptable loss in this new post-cold war strategy.

Finally, I would like to point out that, as a member of the Armed Services Committee, we dealt specifically with the cost issues associated with this program and fully funded the Air Forces F–22 request in H.R. 1401, the Defense Authorization bill for fiscal year 2000, which passed the House overwhelmingly on June 10, 1999. This policy was echoed in both defense authorization and appropriation bills recently acted upon in the other body. We recognized the Air Force's and Department of Defense's efforts to bring the cost of this program under control, and required the Secretary of the Air Force to report directly to Congress on their continuing efforts to meet the mandated spending caps designated for this program. I do not see significant reason barely a month later, to warrant the drastic shift in national defense policy this legislation would promote.

Again, I thank my colleagues for their commitment and dedication shown in drafting this important legislation, and hope that they will remain open to continue the important debate on this issue and work with us as the bill moves forward in Conference Committee.

Mr. WELDON of Pennsylvania. Mr. Chairman, as my colleagues no doubt recognize, one of the major challenges that the Department of Defense faces in the next century is providing adequate sealift capability in time of national emergency. This will become even more important as we complete the shift from a Cold war strategy which had large numbers of heavy forces forward deployed to a security posture that relies on mobile forces based in the United States.

Concerned about this looming shortage of sealift for overseas requirements, the Department has been proceeding with the construction of a fleet of advanced cargo vessels. However, even with this new construction, there will continue to be a deficiency of sealift capacity. To meet this deficiency, the Congress—under the leadership of then Senator Bill Cohen—created the National Defense Features program. The committees of jurisdiction have already authorized funds to commence the program. Once the commercial viability of a project has been demonstrated, I am sure the Appropriations Committee will be prepared to begin appropriating the necessary funds to cover the cost of adding defense features to eligible vessels.

Under the program, new vessels would be constructed in U.S. shipyards and would operate under the American flag in regular commercial service, subject to call up in an emergency. Under one proposal that has the strong backing of Congress, ten refrigerated commercial car carriers would be built with special military features, such as strengthened, hoistable decks. During normal commercial service, the vessels would carry vehicles to the United States and refrigerated products on the return trip to Japan. In times of national emergency, the ships could carry military supplies throughout the Pacific in support of any necessary operations there. Other commercial ventures also have been conceived that would similarly promote our national security interests.

I am concerned, however, that the Government of Japan has apparently been unwilling to formally endorse the proposed refrigerated car carrier proposal. Naturally, for any such initiative to succeed, there must be a sound commercial underpinning. This seems already to have been established. At this point in time, from the perspective of our two governments, the question thus would appear to be fundamentally this: would the project advance our mutual security interests? The short answer is yes. Moreover, it would appear that the proposal can be implemented without any apparent economic cost to the Government of Japan.

I hope that the Prime Minister of Japan will personally endorse increased U.S.-flag participation in the car carrying trade under the national defense features program. I also hope the Administration will take whatever steps may be necessary to work with the Government of Japan to get agreement on the project. We need to get on to the task of building new ships, hoisting the American flag, and putting them out to sea with experienced American merchant mariners on board to promote our mutual security interests.

Mr. ROEMER. Mr. Chairman, I wish to thank the distinguished chairmen (Mr. YOUNG of Florida and Mr. LEWIS of California), and the ranking member of the Defense appropriations subcommittee (Mr. MURTHA) for their support of the Hummer and Sea Snake programs, both critical to meet the needs of the soldier and for the hard-working constituents of Indiana's Third Congressional District. I also wish to thank the distinguished members of the Defense subcommittee, including PETE VISCLOSKY, JIM MORAN, and DAVE HOBSON for their support and hard work in support of U.S. troop readiness and national security concerns.

First, I would like to acknowledge their support for the High Mobility Multipurpose Wheeled Vehicle, also known as Hummer. Although the U.S. Army and Marine Corps budget requests for Hummer have been severely underfunded in recent years, I am pleased that both branches have adequately funded their requirements in the Fiscal 2000 budget. This bill fully funds the Pentagon's request for the Army, Marine Corps, and Air Force Hummer procurement requests.

In recent years, the Hummer has enjoyed strong congressional interest and support. The extensive efforts of this committee on behalf of the Hummer have been of tremendous benefit to my constituents and have resulted in considerable savings for the Armed Services. More important, the Hummer has met, and in many cases exceeded, the needs of our brave troops in the field.

As its track record clearly indicates, Hummers perform multiple missions and readiness requirements for the services including weapons platforms and tow carriers. The Hummer also serves as a platform for newly developed systems crucial to our readiness preparations. Just two years ago in Bosnia, an Up-Armored version of the Hummer that struck a 14-pound anti-tank landmine provided enough protection to miraculously allow its three occupants to walk away without injury.

Second, I wish to express my gratitude for the committee's support for the Sea Snake missile target program. At the present time, a missile target manufacturer in my district is competing for the Navy's next Supersonic Sea-Skimming Target (SSST) missile procurement contract. All I have ever sought for my constituents is that the Navy consider the Sea Snake proposal fairly and in an open competition. I would not ask the Navy nor the Congress to do anything more than that.

While this bill includes strong report language directing the Navy to expedite the ongoing target missile competition, we should continue to closely assess the reliability of a Russian source for the Navy's SSST program, as proposed by one of the competitors. Additionally, I remained concerned that future procurement of the Russian-made MA–31 will almost surely terminate the Navy's most reliable existing supplier of targets made in the United States.

Earlier this year, the Navy notified the manufacturer that they have eliminated procurement funding for the remaining U.S.-made target systems. This action alone has already resulted in the layoff of more than 50 of my constituents. Therefore, I urge the Congress to recognize the impact of this funding shortfall and work to address the future and integrity of the Navy's missile target procurement strategy.

Mr. BASS. Mr. Chairman, I rise to speak on the FY00 Defense Appropriations Act and to express my support for the Air Force's F–22.

I wish to commend the distinguished gentleman from California, Mr. LEWIS, for producing a bill that addresses the serious and evolving challenges facing our military. Under his guidance, the subcommittee has worked very hard to promote our national security within a constrained budget, and I believe the bill before us goes a long way toward addressing many of our most urgent military requirements.

I am, however, troubled by the subcommittee's recommendation to cut $1.8 billion from the F–22 program. I certainly appreciate the subcommittee's concerns about the program and am fully aware of the substantial challenges it faced as it sought to reconcile military requirements with available resources. Nevertheless, I believe that the F–22 remains critical to maintaining the air superiority that has proven invaluable to the United States to date and will continue to be a fundamental requirement in the future if our interests are to be protected. Indeed, the F–22 program is the Air Force's number one priority.

Mr. Chairman, although I support the bill before us on the whole, I look forward to working with the subcommittee chairman and other members of the committee to ensure that the F–22 is fully funded in the final bill.

Mr. PACKARD. Mr. Chairman, during this time of tight budget constraints, I want to acknowledge the efforts of my Republican colleagues who have insisted that we devote more resources toward our nation's defense. The FY 2000 Defense Appropriations bill offers relief for our men and women in uniform who protect and serve our nation in the armed services.

Current events prove that the United States continues to serve security interests around the globe. With this in mind, we must address the deterioration of our military readiness. The funds provided by the FY 2000 Defense Appropriations bill are an important first step.

This legislation will allow Congress to correct many shortcomings, including increased

health programs, an increase in military pay and additional defense weapons for our country. We need to continue to provide our soldiers with the resources they need to protect freedom and themselves.

We must stop neglecting the needs of our military. It has always been one of the central purposes of the Appropriations Committee to provide the necessary resources to ensure that our military is second to none and I commend Chairman LEWIS and the Appropriations Subcommittee on Defense for their hard work and dedication to our nation's soldiers.

Mr. VENTO. Mr. Chairman, as this Congress faces tight funding levels on all federal programs, once again, the Republication leadership has decided to substantially increase spending for the Pentagon. The DOD bill provides $288 billion, $8 billion more than the President requested, almost $10 billion more than the spending caps set by the 1997 balanced budget law and $17.4 billion more than appropriated for 1999. This bill blatantly steam rolls over the much touted budget rules and discipline the GOP has advertised. Thus, making a mockery of the vows to keep within budget limits simply by employing changing dates and previous ''emergency appropriations actions''.

While this measure provides for a much needed military pay raise for our soldiers and sailors, a smart reduction in production of the unnecessary F–22 fighter, a much needed $19 million for further research into gulf war illness and $56 million in international humanitarian assistance, in total H.R. 2561 will seriously drain resources away from important people programs. Furthermore, with $1.2 billion in research going forward, the F–22 is hardly down and out and will surely be back at its $200–300M a copy price. I need not remind my colleagues that just a few months ago, this House voted to appropriate nearly $11 billion in emergency spending for the Kosovo campaign. The final product of the House/Senate conference totaled $14.5 billion, roughly $8 billion more than the President's request. While I supported the U.S./NATO campaign, I did not support this emergency supplemental because the GOP insisted upon loading it down with wasteful and unnecessary military pork projects that were totally unrelated to the air campaign against the Serb aggression in Kosovo. Moreover, the Republican leadership chose to avoid the budget by funding FY 2000 projects in that emergency measure, to avoid the budget rules.

H.R. 2561 provides no funds for the current Kosovo peace keeping. This clearly assumes that more funds are needed in a supplemental or emergency spending request at a later date in year 2000. This is a fraudulent policy by spending on the hardware and then turning needed programs and funding into a crisis, apparently trying to justify emergency spending.

The battle over the F–22 is in focus today. There is no threat which necessitates a next generation fighter. The F–22 program was initiated in 1981 to meet the evolving threat posed by the next generation of Soviet aircraft. The war in Kosovo demonstrated the superiority—both qualitative and quantitative—of the current fleet of F–15's and F–16's to maintain U.S. dominance in the skies. Not only were current fighters undefeated in their encounters with the limited ability Serbian fighters, but the Yugoslav Air Force was reluctant even to deploy their aircraft to challenge U.S. fighters. This scenario is a repeat of Iraq reluctance to challenge U.S. air dominance in the gulf war and later confrontations in the no-fly zones. Furthermore, the price tag of nearly $200–$300 million per plane has ballooned out of control However, while trying to eliminate the F–22, this measure diverts the funds to purchase more F–15's and F–16's, additional C–17 Air Force bombers and unrequested funding for eight KC–130J's. As a result, no new maintenance and savings are achieved. All this bill does is add more new hardware and weapon systems as substitute for fiscal discipline, and the prospect of buying F–22 at even a higher price tomorrow.

Even though veterans suffer from inadequate health care, low income families lack public housing, our nations schools are crumbling, classrooms are overcrowded and seniors do not have necessary prescription drug coverage, the Republican-led majority continues to display an inability to address these important issues by again channeling limited resources under the budget caps to Pentagon spending. Our military superiority was demonstrated successfully in the Kosovo conflict. Our national defense technology and capabilities far outmatch any direct threat to our military forces. Our priorities ought to be investment in readiness, maintenance, and smart military service, not weapons systems alone. Limited and careful policy would not expend another $4 billion on a unproven and highly questionable missile defense system. This system passed one experiment, but has failed repeatedly to live up to its promise after three decades and at least $100 billion in tax payer spending. Reason would suggest that this is not prudent policy, but fears and the pressure of special interests has kept this policy moving forward no matter the cost and practicality.

Congress must reassess our national priorities and focus upon our pressing needs. I urge my colleagues to vote ''no'' on this measure.

Ms. DUNN. Mr. Chairman, I support the passage of the Fiscal Year 2000 Defense Appropriations Bill. This legislation effectively addresses the growing quality of life, readiness, and modernization shortfalls facing today's military. It attempts to manage the competing pressures and risks associated with an expansive U.S. national security strategy and diminishing defense resources.

I am particularly pleased that the House Appropriations Committee found merit in two worthwhile programs managed by innovative companies located in Washington State's 8th Congressional District. This bill allots $8 million to Asymetrix Learning Systems, Inc. for the development of an online education program for the Washington State Army National Guard. Additionally, it allocates $4 million to Adroit Systems, Inc. to develop Pulse Detonation Engine technology, which will allow the Navy to improve missile capabilities while reducing future procurement costs.

Despite the positive steps this bill takes to improve our national security, I would like to take the opportunity to express my concern regarding the $1.8 billion reduction for the procurement of the F–22 fighter. The F–22 Raptor is the Air Force's next-generation air-superiority fighter, the aircraft that will take the lead in seizing control of contested airspace in wartime so that other aircraft can do their jobs. It is the only air-superiority fighter that the Air Force has in advanced development, and the first such aircraft developed since the 1970s.

Recent trends in warfare suggest that whoever owns the sky and space above it will own the future. According to the Lexington Institute, the F–22 gives the only opportunity the Air Force has to ensure America's military continues to control the sky during the early decades of the 21st century. No other tactical combat aircraft in service today has a similar capacity to successfully operate amid the emerging foreign-made air-to-air missile threat. And because it is survivable, no other American aircraft will be able to effectively engage in battle as close to the enemy as the F–22 Raptor.

An April 27 statement by seven former defense secretaries emphasizes that continued development and production of the F–22 is essential to preserving U.S. command of the air. Additionally, even in a period of diminished threats, other nations will gradually overtake and surpass the fighting effectiveness of current U.S. fighters. Therefore, the agility, firepower, and situational awareness embodied in the F–22 must be funded.

The decision to fund this project will have a long term strategic effect on America's defense capabilities. We must retain our ability to establish air dominance by supporting the continued procurement of the F–22 Raptor. The funding of this next-generation fighter is essential to the air superiority of the United States of America and the entire free world.

Mr. HOBSON. Mr. Chairman, I rise in support of H.R. 2561, the Department Defense Appropriations Act for Fiscal Year 2000. This bill carefully balances scarce resources by maintaining readiness, providing a much deserved pay raise for our troops and ensuring that our military continues its technological dominance over potential enemies. I urge support for this bill.

Mr. Chairman, this Administration has been dramatically and consistently underfunding our military, while at the same time, asking it to do more with less. Our troops have been committed to more operations in the last ten years than at any time since World War II. This has created a situation whereby we have excessive wear and tear on equipment and facilities. In addition, our soldiers, sailors and airmen are having to spend extraordinary time away from their homes and their families. While our troops have performed admirably, the time has come where they can no longer do more with less.

The defense budget presented by the President fell far short of the needs that our military had requested. For instance, in my bill, Military Construction, there was not one request for a new unit of family housing in the Continental United States (CONUS) made by either the Army or the Navy. With a housing backlog that stretches for over ten years, and a real property maintenance backlog of almost a billion dollars, the needs of the services are real.

In fact, in hearings before the Defense Appropriations Subcommittee, the services provided us with an unfunded priority list of over $11 billion for this year alone, and over $150 billion during the next five years. While remaining within the budget caps, this Defense Appropriations bill begins to address this shortfall by providing an extra $2.8 billion above what the Administration felt would have been adequate. Highlights of the bill include: $300 million above the budget request for pilot bonuses; $854 million above the budget request for Quality of Life enhancements; $103

million above the budget request for recruiting; $2.8 billion above the budget request for Research, Development, Test and Evaluation; and 4.8 percent pay raise (above the budget request)

Mr. Chairman, this bill is a step in the right direction. While it does not fix all of the problems that our military is facing today, it does take necessary steps to ensure that funds will be directed first to those items that are broken, and give our troops the tools they need to protect our country and our future.

I urge my colleagues to support this bill.

Mr. BARR of Georgia. Mr. Chairman, a French proverb says ''[w]ar is much too serious to leave to the generals.'' Mr. Speaker, I rise today to say exactly the opposite. War is far too important to be left to politicians.

Today, the House stands on the verge of sending the Senate a bill that may very well terminate the F–22 program. On one side, we have a carefully planned, smoothly executed plan by politicians to scrap the fighter. On the other side, we have every general in the Pentagon telling us our national security will suffer a fatal blow if we choose to give up air dominance in the next century.

In a letter to Congress last week, Secretary of Defense William Cohen told us that ''Canceling the F–22 program means we cannot guarantee air superiority in future conflicts.'' Six former Secretaries of Defense have echoed Secretary Cohen's words, calling the F–22 a ''essential'' program that must be fully funded.

Make no mistake about it, Mr. Speaker. If we cancel the F–22, we are making a decision to stake the lives of American soldiers on inferior equipment because some in Congress think they know more about air warfare than the United States Air Force.

Ironically, canceling the F–22 won't even accomplish its stated goal of saving money. Secretary Cohen has told us the alternative to the F–22—an upgraded F–15 (already over 25 years old)—will cost the same as the F–22, but will not provide air dominance. The Secretary has also told us—correctly—that not only will the Joint Strike Fighter or JSF be unable to fill the air superiority role, it will also be unable to handle its strike role without F–22 support. This is the legislative equivalent of rejecting a Cadillac in order to buy a Yugo for twice the price. The JSF is not, was never contemplated to be, and cannot be made into, the F–22. It is not an air-superiority fighter. It is a subsonic tactical fighter that goes into a conflict after the F–22 establishes air dominance. the JSF cannot itself establish air dominance.

In September of 1939, Neville Chamberlain told the British people to go home and rest easy because he had purchased ''peace for our time.'' the following September, an unprepared Great Britain began a fight for its life with Nazi Germany. We must not make a long-term mistake for a short-term gain, by canceling the F–22. We must not allow our easy victory in Kosovo to lead us to mistakenly assume we will always have air superiority.

Again, the facts are clear. First—this decision may very well end the F–22 program, by raising future costs so high we will not be able to restart it later. Second—without the F–22, American forces will to a certainty, be outgunned by the next generation of missiles and aircraft already nearing production by three nations (Russia, France, and Sweden), each of which is ready to use them or sell them to the highest bidders. Third—by giving up air superiority, we are encouraging our enemies to attack us and ensuring that young Americans will pay on the battlefields of the future; only a few short years away.

In short, we will have rejected the wisdom of George Washington, who told Congress ''[t]o be prepared for war is one of the most effectual means of preserving peace.'' The ancient Chinese military strategist Sun Tzu said the same thing two thousand years ago when he wrote that ''[v]ictorious warriors win first, and then go to war, while defeated warriors go to war first and then seek to win.'' Mr. Speaker, if Congress kills the F–22 program we will pay dearly later for ignoring this sage advice now.

Mr. NETHERCUTT. Mr. Chairman, as a member of the Defense Subcommittee, I am proud to support the outstanding package that we put together under the leadership of Chairman LEWIS and Mr. MURTHA. H.R. 2561 improves on the President's request by adding $2.8 billion for critical defense initiatives. Equally important, when supplemental funds are included, this bill provides the first consecutive year increase in defense spending since 1985. Despite these slight increases, we were forced to make many tough choices in this bill. Persistent underfunding of defense needs and an extraordinarily high operations tempo generated an unfunded request list from the services chiefs totalling some $7 billion.

In this legislation we have the advantage of hindsight on Operation Allied Force, which exposed a number of urgent needs that are not addressed in the President's request. I am particularly pleased at what we were able to do for two platforms which I regard as enablers for the conduct of all military operations: tankers and jammers.

H.R. 2561 provides $208 million for KC–135 reengining, allowing the Air National Guard to convert 8 aircraft with modern engines. The Kosovo operation showed clearly that we rely on KC–135 aerial refueling tankers for all air missions and both active and guard crews were hard pressed to support the campaign. These forty year old aircraft are the backbone of our global capabilities and new engines dramatically increase their capability, allowing a 25 percent increase in fuel offload capability, a 35 percent reduction in time to climb, a 23 percent reduction in take off distance, while also meeting current noise and pollution standards. Yet, the Air Force has refused to commit seriously to reengining these aircraft which are the legs of the entire service. In previous years, the Defense Subcommittee has wisely added funds for one or two kits a year, but more than 130 aircraft remain to be reengined. Unfathomably, in a period of dramatically increased global deployments, the Air Force has delayed conversions until 2002. This legislation meets the need and puts the Air Force on an economical path to actually integrate modern engines onto an aging airframe for which there is no proposed alternative.

The bill also addresses the tactical aircraft jammer crisis. To pay the growing bills on the F–22, the Air Force sacrificed its entire fleet of EF–111A tactical jamming aircraft, leaving the entire DOD with a single platform, the EA–6B Prowler, to perform this essential mission. These aircraft were heavily utilized over Kosovo, performing 717 wartime sorties. But to meet the need, the Prowlers were stretched thin. Coverage of Korea was eliminated, safety standards were waived, spare parts were stripped from everywhere else in the world and squadrons on the East and West coasts were put on alert interfering with training. Two squadrons returning from 6 month carrier deployments were turned around and again deployed to Aviano, instead of seeing their families. In all, 12 of 19 squadrons were at-sea or deployed.

The Kosovo operation showed that we simply do not have enough Prowlers to support our national strategy. The operation also revealed other deficiencies that must be corrected. EA–6Bs are not night-vision capable, which requires air crews to fly with external lights, illuminating them to adversaries. They have no data link capability and thus have difficulty discerning the location of friendly and enemy aircraft. And while DOD acknowledges that within 10 years we will face a severe inventory problem, there is no plan to address this issue. Our bill provides $227 million to fund a package of improvements to the fleet. We have included night vision equipment, simulators, a data link capability and funding for a follow-on replacement aircraft. As with the KC–135, this is a national capability that is readily recognized but unsupported by DOD because of limited modernization funds. The lessons of Kosovo demonstrate the importance of both platforms and I strongly support the Committee's actions on these two aircraft.

The Committee has managed to address many such modernization shortfalls in this bill while also providing for quality of life initiatives. The bill fully funds the 4.8 percent pay raise and supports pay table and retirement reform. We have increased the Basic Allowance for Housing by $225 million. Our continued concern about pilot retention was reflected in a $300 million increase for aviation continuation pay. Retention is about more than pay however, and the report directs DOD to undertake a comprehensive quality of life study to provide a foundation for addressing other issues that have negative effects on unit morale and readiness.

I believe this is an outstanding bill which addresses a wide range of critical, yet unfunded near-term priorities within the Department of Defense. It is essential that we act on the immediate lessons of Kosovo and by directing funding to such areas as tankers and jammers we have improved the overall capabilities of our forces. I urge Members to support this bill.

Mr. STARK. Mr. Chairman, I rise today in opposition to the proposed $266 billion for the Defense Appropriations for FY 2000. This bill appropriates $2.8 billion more than the administration's request. This includes hundreds of millions of dollars needed to build new F–15s and F–16s—both Cold War fossils—and $3.9 billion for a national missile defense system.

What is the threat that we need such elaborate and expensive items to add to the U.S. defense? What is the threat that we are willing to forsake health care for our children, smaller classrooms for our children and prescription drug coverage for our seniors?

Times are changing. The $3.9 billion that is to be spent on missile defense is an example of money invested in a non-existent threat. The proposed National Missile Defense (NMD) program would have been much more useful fifteen years ago, during the Cold War. Biological and chemical warfare is the foreseen

threat these days, and an NMD program will soon be obsolete. Defense spending should be decreasing, yet it is costing more and more each year to defend ourselves from an invisible enemy.

The Pentagon is the largest source of bureaucratic waste, fraud and abuse in the federal government. Military contractors and their champions in Congress fuel wasteful military spending by promoting weapons as jobs programs and stuffing pork projects into districts and states. When in reality, the jobs gained in the U.S. pales in comparison to those sent overseas to complete the majority of weapons development. Congress should hold military projects to the same ''pork accountability standard'' as other government projects.

The worst part of it all is that in order to fund these ridiculous increases, programs designed for community and regional development programs will suffer the most. Massive cuts in domestic programs will equal a massive loss in jobs for teachers, construction workers, civil service workers, and others. This money could also be directed to improve the quality of childcare for working families, improving Medicare, and increased funding for medical research.

Remember to keep in mind the $13 billion wasted in Kosovo—a situation that could have been settled through peace talks and negotiations. Now, NATO wants our support to rebuild the bridges, roads, and towns that were destroyed.

I strongly urge my colleagues to join me in opposing this wasteful and misdirected use of $266 billion. Please oppose H.R. 2561, the Defense Appropriations for Fiscal Year 2000.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague's comments, and with that, for general debate purposes, I yield back the balance of my time.

The CHAIRMAN. All time for general debate having expired, pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 2561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $21,475,732,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $16,737,072,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $6,353,622,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $17,565,811,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $2,235,055,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,425,210,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $403,822,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $872,978,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $3,486,427,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,456,248,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance

of the Army, as authorized by law; and not to exceed $10,624,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; $19,629,019,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That of the funds made available under this heading, $6,000,000, to remain available until expended, shall be transferred to ''National Park Service—Construction'' within 30 days of enactment of this Act, only for necessary infrastructure repair improvements at Fort Baker, under the management of the Golden Gate Recreation Area: *Provided further,* That of the funds appropriated in this paragraph, not less than $355,000,000 shall be made available only for conventional ammunition care and maintenance:

Provided further, That of the funds appropriated under this heading, $4,000,000 shall not be available until thirty days after the Secretary of the Army provides to the congressional defense committees the results of an assessment, solicited by means of a competitive bid, on the prospects of recovering costs associated with the environmental restoration of the Department of the Army's government-owned, contractor-operated facilities.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $5,155,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; $23,029,584,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; $2,822,004,000.

OPERATION AND MAINTENANCE, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,882,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; $21,641,099,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; $11,401,733,000, of which not to exceed $2,000,000 is for providing the Computer/Electronic Accommodations program to federal agencies which otherwise do not receive funding for such purposes; of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of which not to exceed $32,300,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided,* That of the amount appropriated under the heading ''Operation and Maintenance, Defense-Wide'' in division B, title I, of Public Law 105–277, the amount of $177,000,000 not covered as of July 12, 1999, by an official budget request under the fifth proviso of that section is available, subject to such an official budget request for that entire amount, only for the following accounts in the specified amounts:

''Other Procurement, Air Force'', $47,000,000;

''Procurement, Defense-Wide'', $100,000,000; and

''Research, Development, Test and Evaluation, Air Force'', $30,000,000:

Provided further, That none of the amount of $177,000,000 described in the preceding proviso may be made available for obligation unless the entire amount is released to the Department of Defense and made available for obligation for the programs, and in the amounts, specified in the preceding proviso: *Provided further,* That of the amounts provided under this heading, $40,000,000 to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance, procurement, and research, development, test and evaluation appropriations accounts, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further,* That the transfer authority provided under this heading is in addition to any other transfer authority provided in this Act: *Provided further,* That of the funds made available under this heading, $10,000,000 shall be available only for retrofitting security containers that are under the control of, or that are accessible by, defense contractors.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,513,076,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $969,478,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $143,911,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,788,091,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $3,103,642,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things, hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; $3,239,438,000.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses directly relating to Overseas Contingency Operations by United States military forces; $1,812,600,000, to remain available until expended: *Provided,* That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title, the Defense Health Program appropriation, and to working capital funds: *Provided further,* That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere in this Act.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces; $7,621,000, of which not to exceed $2,500 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $378,170,000, to remain available until transferred: *Provided,* That the Secretary of the

Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $284,000,000, to remain available until transferred: *Provided,* That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $376,800,000, to remain available until transferred: *Provided,* That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $25,370,000, to remain available until transferred: *Provided,* That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $209,214,000, to remain available until transferred: *Provided,* That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code); $55,800,000, to remain available until September 30, 2001.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical, and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components, and weapons technology and expertise; $456,100,000, to remain available until September 30, 2002.

QUALITY OF LIFE ENHANCEMENTS, DEFENSE

For expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Department of Defense (including military housing and barracks); $800,000,000, for the maintenance of real property of the Department of Defense (including minor construction and major maintenance and repair), which shall remain available for obligation until September 30, 2001, as follows:

Army, $182,600,000;
Navy, $285,200,000;
Marine Corps, $62,100,000;
Air Force, $259,600,000; and
Defense-Wide, $10,500,000:

Provided, That notwithstanding any other provision of law, of the funds appropriated under this heading for Defense-Wide activities, the entire amount shall only be available for grants by the Secretary of Defense to local educational authorities which maintain primary and secondary educational facilities located within Department of Defense installations, and which are used primarily by Department of Defense military and civilian dependents, for facility repairs and improvements to such educational facilities: *Provided further,* That such grants to local educational authorities may be made for repairs and improvements to such educational facilities as required to meet classroom size requirements: *Provided further,* That the cumulative amount of any grant or grants to any single local educational authority provided pursuant to the provisions under this heading shall not exceed $1,500,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,590,488,000, to remain available for obligation until September 30, 2002.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,272,798,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,556,665,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and

such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,228,770,000, to remain available for obligation until September 30, 2002.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of not to exceed 36 passenger motor vehicles for replacement only; and the purchase of 3 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $200,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $3,604,751,000, to remain available for obligation until September 30, 2002.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $9,168,405,000, to remain available for obligation until September 30, 2002.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $1,334,800,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $537,600,000, to remain available for obligation until September 30, 2002.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

NSSN (AP), $748,497,000;

CVN–77 (AP), $751,540,000;

CVN Refuelings (AP), $323,665,000;

DDG–51 destroyer program, $2,681,653,000;

LPD–17 amphibious transport dock ship, $1,508,338,000;

ADC(X), $439,966,000;

LCAC landing craft air cushion program, $31,776,000; and

For craft, outfitting, post delivery, conversions, and first destination transportation, $171,119,000;

In all: $6,656,554,000, to remain available for obligation until September 30, 2004: *Provided*, That additional obligations may be incurred after September 30, 2004, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 25 passenger motor vehicles for replacement only; lease of passenger motor vehicles; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $4,252,191,000, to remain available for obligation until September 30, 2002.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 43 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; $1,333,120,000, to remain available for obligation until September 30, 2002.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $8,298,313,000, to remain available for obligation until September 30, 2002.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $2,329,510,000, to remain available for obligation until September 30, 2002.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $481,837,000, to remain available for obligation until September 30, 2002.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 53 passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $6,964,227,000, to remain available for obligation until September 30, 2002.

PROCUREMENT, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts

therefor, not otherwise provided for; the purchase of not to exceed 103 passenger motor vehicles for replacement only; the purchase of 7 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $2,286,368,000, to remain available for obligation until September 30, 2002: *Provided,* That of the funds available under this heading, not less than $39,491,000, including $6,000,000 derived by transfer from ''Research, Development, Test and Evaluation, Defense-Wide'', shall be available only to support Electronic Commerce Resource Centers: *Provided further,* That none of the funds in this or any other Act shall be used to compensate administrative support contractors for the Joint Electronic Commerce Program Office.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; $130,000,000, to remain available for obligation until September 30, 2002: *Provided,* That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, 2093); $5,000,000 only for microwave power tubes and to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; $5,148,093,000, to remain available for obligation until September 30, 2001.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; $9,080,580,000, to remain available for obligation until September 30, 2001: *Provided,* That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique requirements of the Special Operation Forces: *Provided further,* That of the funds available under this heading, no more than $5,000,000 shall be available only to initiate a cost improvement program for the Intercooled Recuperated Gas Turbine Engine program: *Provided further,* That the funds identified in the immediately preceding proviso shall be made available only if the Secretary of the Navy certifies to the congressional defense committees that binding commitments to finance the remaining cost of the ICR cost improvement program have been secured from non-federal sources: *Provided further,* That should the Secretary of the Navy fail to make the certification required in the immediately preceding proviso by July 31, 2000, the Secretary shall make the funds subject to such certification available for DD–21 ship propulsion risk reduction: *Provided further,* That the Department of Defense shall not pay more than one-third of the cost of the Intercooled Recuperated Gas Turbine Engine cost improvement program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment; $13,709,233,000, to remain available for obligation until September 30, 2001.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment; $8,930,149,000, to remain available for obligation until September 30, 2001: *Provided,* That not less than $419,768,000 of the funds made available under this heading shall be made available only for the Navy Theater Wide Missile Defense program: *Provided further,* That of the amount appropriated in section 102 of division B, title I, of Public Law 105–277 (112 Stat. 2681–558), the amount of $230,000,000 not covered as of July 12, 1999, by an official budget request under the third proviso of that section is available, subject to such an official budget request for that entire amount, only for the following programs in the specified amounts:

''International Cooperative Programs'' (ARROW anti-tactical ballistic missile), $45,000,000;

''Navy Theater Wide Missile Defense System'', $35,000,000;

''PATRIOT PAC–3 Theater Missile Defense Acquisition—EMD'', $75,000,000; and

''National Missile Defense Dem/Val'', $75,000,000:

Provided further, That none of the amount of $230,000,000 described in the preceding proviso may be made available for obligation unless the entire amount is released to the Department of Defense and made available for obligation for the programs, and in the amounts, specified in the preceding proviso.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; $271,957,000, to remain available for obligation until September 30, 2001.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $29,434,000, to remain available for obligation until September 30, 2001.

Mr. LEWIS of California (during the reading). Mr. Chairman, I ask unanimous consent that the bill, through page 38, line 5, be considered as having been read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

AMENDMENT NO. 4 OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BARR of Georgia:

H.R. 2561

In the paragraph in title IV under the heading ''Research Development, Test, and Evaluation, Air Force'', insert after the dollar amount the following: ''(increased by $1) (reduced by $1)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BARR) and the gentleman from California (Mr. LEWIS) each will be recognized for 30 minutes.

Mr. BARR of Georgia. Mr. Chairman, I ask unanimous consent that I be allowed to yield 15 minutes to the gentleman from Connecticut (Mr. LARSON) and further, that the said gentleman from Connecticut be allowed to control 15 minutes of time.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at this time I would like to engage in a colloquy with the gentleman from California (Mr. LEWIS), the chairman of the subcommittee.

Mr. Chairman, I want to discuss with the chairman of the subcommittee the importance of the F–22 program and the actions of his subcommittee in this year's defense appropriations bill.

Mr. Chairman, it is my understanding the committee has acknowledged that the F–22 was developed to guarantee air superiority over any potential adversary for the foreseeable future. In addition, the committee has also stated that, as currently configured, there is little doubt that the F–22, if it meets its performance specifications, would far outclass any single fighter known to be under development.

Mr. LEWIS of California. Mr. Chairman, if the gentleman will yield, the gentleman is correct.

Mr. BARR of Georgia. However, the committee has decided in this legislation that a production pause should take place on the production of the first 6 planes because of certain concerns outlined in the committee report.

Mr. LEWIS of California. Mr. Chairman, the gentleman is again correct.

Mr. BARR of Georgia. Mr. Chairman, the gentleman from California and I and others have had numerous conversations concerning the importance of this program of air superiority of the United States. It is my understanding the chairman of the subcommittee, as well as members of the upcoming conference committee, will closely look at the F–22 program in light of the fact the other body, that is the Senate, included full funding for this project in its appropriations bill.

Mr. LEWIS of California. Mr. Chairman, I would like to say to the gentleman that because of his hard work and the work of his colleagues, it is not our intention to go any further at this time than a pause relative to the F–22 program, and we do intend to look very closely at the program as we go forward to conference with the Senate.

I would emphasize to the gentleman from Georgia that the $1.2 billion in research and development for the F–22 remains in the bill, and it is our intention to see that that R&D will go forward.

Mr. BARR of Georgia. Mr. Chairman, I would like to take a moment to discuss with the chairman of the Subcommittee on Defense of the Committee on Appropriations the C–130J program. The United States Transportation Command states a need for 150 C–130J tactical airlift aircraft to modernize our forces and replace aging C–130Js currently being deployed by our active and reserve force and our Guard units.

However, the administration budget failed to request any C–130Js until fiscal year 2002, and active duty units are not scheduled to receive any until fiscal year 2006. However, over the last several months, I have worked with my colleagues of the Georgia Delegation and other Members of the House to point out the need to begin to authorize and appropriate these planes in this year's budget.

Mr. LEWIS of California. Mr. Chairman, for the benefit of the Members of the House, I would like my colleagues to know that the gentleman from Georgia (Mr. BARR) and I have worked very, very closely on this question. The gentleman took the time to bring professional people along with him to my office.

We spent considerable time discussing the program that involves the C–130J, particularly the facility that operates in Marietta, Georgia. That exchange caused our subcommittee to look very closely at that recommendation, a recommendation that had not come originally from the Air Force itself. It is with his leadership that the C–130J is a part of this package, and I very much appreciate the Member's contribution in that regard.

Mr. BARR of Georgia. Mr. Chairman, I thank the distinguished chairman of the subcommittee.

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

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

I rise in support of the amendment. I am here to address what is a very serious issue of national security raised by cutting the F–22 and the virtual elimination of the number one priority of the United States Air Force.

Let me first acknowledge and thank the leadership of the Committee on Armed Services and the fine job that the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) have done. I commend them for their mark on the F–22. I am proud to be a member of this committee.

The issue of cost associated with this program is one the committee addressed and requires the Secretary of the Air Force to report their continuing efforts to meet mandated spending caps. I am heartened as well by the actions of the Senate Committee on National Security, the Senate Appropriations Committee, the Defense Department, and the Clinton administration, all who support the F–22 for the strategic importance, air superiority, and dominance it supplies our troops who most recently demonstrated their brave actions and won the war for us in Kosovo.

Let me also acknowledge the great respect that I have for the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from California (Mr. LEWIS), the gentleman from Washington (Mr. DICKS), the gentleman from California (Mr. CUNNINGHAM, the gentleman from Florida (Mr. YOUNG), our chairman of the full committee, and the gentleman from Wisconsin (Mr. OBEY), and other members of the Subcommittee on Defense who have felt this program was too costly to continue because of budgetary constraints and cost overruns.

I rise this afternoon without malice and ask these fine appropriators who are headed to conference to hear the concerns not only of legislators, but from the guys in the front lines, the men and women who put their lives on the line, the ones who we ask to fly in harm's way. Their first concern is the Nation they protect and the comrades they fly with. They know little of politics, of budget caps, and conference committees. They only know they have a job to perform.

They are given orders, and they execute, and in Kosovo, that was over 30,000 sorties without a single life lost. They are the heroes. They are this Nation's Jedi warriors. And in gratitude to their service, we are preparing today to cut the only program that guarantees their air dominance. While trying to persuade them that retrofitting the F–15 is the answer for the future.

I visited several of these pilots at Langley Air Force base. I told them how proud I and all of the Members of Congress were of their effort. They asked them why we are cutting the F–22 and stressed their dismay at how counterproductive it is to try to bolt on technology to the F–15. To quote Major Jay Tim, we would get only one-third the capability of the F–22 at 90 percent of the cost it will take to retrofit the F–15.

Another young warrior said, rather painfully, how many of us coming home in coffins will it take for Congress to understand how important tactical superiority and advanced avionics are to the pilots who carry out these missions.

□ 1545

Their classified presentations were even more vivid, and it seems incomprehensible to them and frankly, to me, that knowing our enemy's capability we will place our troops in harm's way of enemy-constructed death zones of the 21st Century with 20th Century technology.

We talked all year long about morale and retention. Our pilots are the best trained fighters in the world, and they would fly anything into battle for their country, now to come home only to find cuts in their top priority in Congress, turning congressional commitment into a hollow promise for them.

For them, this is not some frill. This is not some back bench item. This is their very future.

Our great leader, the gentleman from Missouri (Mr. GEPHARDT), has eloquently referred to issues that impact everyday people as kitchen table issues. Across kitchen tables of our Air Force pilots, spouses wonder why, with our surplus, why given their outstanding valor, we place their husbands and wives at risk.

Across the kitchen tables in my own hometown, for the people who work at Pratt & Whitney Aircraft, who wonder why, with the largest defense budget in recent memory, why they will be laid off after competing for and winning an engine contract that the Air Force assured them would be built, why is the House cutting what the Air Force assured would be their top priority.

In so many ways, Mr. Chairman, this is a great defense budget, and it has done much for our troops and it has done much more the defense of this Nation.

Members are going to bring home much to their districts, but for me over the break I will be sitting down across kitchen tables, on shop floors, in living rooms, trying to explain to people I grew up with, my neighbors, that their fate lies in the hands of a conference committee. It is my sincere hope that this end story will be one we can be proud of, but I cannot, in good conscience, vote for this bill.

Mr. Chairman, I rise to address a very serious issue of national security raised by the cutting of the F–22 and virtual elimination of the number one priority of the U.S. Air Force.

Let me first acknowledge and thank the leadership of the Armed Services Committee and the fine job that Mr. SPENCE and Mr. SKELTON have done and I commend them for the mark on the F–22. The issue of cost associated with the program is one the committee

addressed and requires the Secretary of the Air Force to report on their continuing efforts to meet the mandated spending caps.

I'm heartened as well by the actions of the Senate Armed Services Committee, the Senate Appropriation Committee, the Defense Department, and the Clinton Administration, all who support the F–22 for the strategic importance, air superiority, and dominance it provides our troops. Most recently demonstrated by those brave Air Force warriors who won the war in Kosovo.

Let me also acknowledge the great respect I have for JACK MURTHA, JERRY LEWIS, NORM DICKS, DUKE CUNNINGHAM and others on Appropriations, Subcommittee on Defense who have felt the program is too costly to continue given our budgetary constraints and cost overruns in the project. I rise without malice, and ask these fine appropriators who are headed to conference hear the concerns not only of legislators, but from the guys in the front lines, the men and women who put their lives on the line, the ones we ask to fly in harm's way.

Their first concern is the nation they protect, and the comrades they fly with. They know little of politics, budget caps, and conference committees. They only know they have a job to perform, they are given orders, and they execute. In Kosovo that was over 30,000 sorties, without a single life lost. They are the heroes, they are the nation's Jedi warriors. In gratitude for their service, we are preparing today to cut the only program that guarantees them air dominance, while trying to persuade them that retrofitting F–15 is the answer for the future.

I visited several of these pilots at Langley Air Force Base, I told them how proud I was of their effort. They asked me why we are cutting the F–22 and stressed their dismay at how counter productive it is to try to bolt on technology to the F–15. To quote Major Jake Timm, ''We would get only ⅓ the capability of the F–22 at 90% of the cost—it will cost $41 billion to retrofit the F–15 and $40 billion to go forward with the F–22.'' Or as another young warrior said, ''How many of us coming home in coffins will it take for Congress to understand how important tactical superiority and advanced avionics are to the pilots who carry out these missions.'' Their classified presentations were even more vivid, and it seems incomprehensible to them and frankly to me, that knowing our enemies capability, we would place troops in harms way of enemy constructed death zones of the 21st Century with 20th Century technology. We have talked all year long about morale and retention, our pilots are the best trained fighters in the world and would fly anything into battle for their country, now to come home only to find cuts in their top priority fighter, turning Congressional commitment into a hollow promise. For them, this is not some frill or back bench item. This is their future. Our great leader Dick Gephardt has eloquently referred to issues that impact every day people as kitchen table issues, across the kitchen tables of our Air Force pilots' spouses wonder why with our surplus, why given their outstanding valor, would we place their husbands and wives at risk. And across the kitchen tables in my home town, people who work at Pratt & Whitney wonder why with the largest defense budget in recent memory. Why they will be laid off, why the engine they competed for and won, will not be built. Why the House is cutting what the Air Force assured them was their top priority.

In so many ways the defense bill has done much for our troops and for the defense of the nation and Members will bring home much to their Districts. But for me over the break, I'll be sitting down across kitchen tables, on shop floors, and living rooms trying to explain to the people I grew up with, that their fate lies in the hands of a conference committee. It is my sincere hope that the end story is one we can be proud of. But I cannot in good conscience vote for this bill.

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

Mr. BARR of Georgia. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Chairman, I am appalled at this discussion.

I think so much of the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from California (Mr. LEWIS). I know they are patriots of the first degree. We are all interested in the best for this Nation. For 50 years, every American soldier has gone to war confident that the United States had air superiority. Cancelling the F–22, and that is what this is, means we cannot guarantee air supremacy in future conflict, supremacy over the battlefield, and any new aircraft needs it. Without the F–22, I do not think the joint strike fighter will be able to carry out its primary mission, and the Air Force backs that, and they say that it will cost just as much to retrofit that airplane as to buy an aircraft that is already there.

Our Nation's joint forces must be free from attack, free to maneuver, and free to attack on the battlefield whenever. That is what this airplane does. It has already been delayed 9 years. We need it now, as the gentleman from California (Mr. CUNNINGHAM) pointed out earlier, and we should have had it now. There is no alternative to the F–22. The joint strike fighter was not designed for air superiority and redesigning it will dramatically increase the cost.

We have already done away with some of our electronic warfare defense in the Air Force. We will have to regenerate that.

They are planning to do away with the F–117 because the F–22 is a stealth fighter. They are going to have to keep that around. That is going to cost more. An upgraded F–15 does not provide the same dominance that the F–22 program would provide. The Secretary of Defense vehemently disagrees with the decision to defund the F–22, and he stated he cannot accept a defense bill that kills this cornerstone program.

The cancellation of the F–22 will adversely affect over 151,000 jobs in the coming years. Billions of dollars in contracts will be canceled. It affects 42 States.

I flew the F–15 when I was active in the Air Force. That has been over 25 years ago. Can my colleagues believe that we are trying to retrofit an F–15 that will be in service for over 33 years by the time the F–22 achieves initial operational capability? And if a 33-year-old aircraft had been used in Korea, we would have been fighting migs with Sopwith Camel bi-planes. If the 33-year-old aircraft had been used just in the Gulf War, we would have been fighting third-generation Soviet fighters with Vietnam era F–4s.

Do we think our active fighters would have fled from that threat? I do not think so.

The American people will not tolerate parity or an aerial war of attrition. Parity is not acceptable. Our Air Force must have the capability to dominate the sky. Let us build this airplane. It is a stroke for freedom.

Mr. LARSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Chairman, I want to thank the gentleman from Connecticut (Mr. LARSON) for yielding me this time.

Mr. Chairman, I rise in support of continued funding for the U.S. Air Force's F–22 advanced tactical program. The House passed H.R. 1401, the fiscal year 2000 defense authorization bill, on June 10 and fully supported the F–22 program. In fact, the program was fully funded by both the defense authorization and appropriation bills acted on by the Senate.

I believe the F–22 program is critical to our country's defense. If the decision to cut funding is enacted, we lose the cornerstone of our Nation's global air strategy for the next century. Budget cuts are tough today. We must choose how we spend our resources and act prudently. It is an opportunity cost. We cannot have everything. We must choose wisely to spend our resources, but we should not do that unilaterally.

What happened to the people who deal in committee and try to understand these programs? That decision-making process has been taken away from us.

What do we lose when we give up the F–22 program? Well, let me say the proposed cuts jeopardize our next century's warfighting capability. It places our forces at higher risk. The F–22 is the first stealthy fighter attack aircraft that permits our pilots to destroy enemy aircraft and ground-based air defenses at greater stand-off ranges than the current F–15 fighter. An upgraded F–15 does not have that technology. We must have the F–22 for the next century.

There are at least five foreign fighters already starting to eclipse the F–15 and many of these planes are on the international market. Let us work together. Let us look back at this.

The F–22's attributes of stealth, supercruise and integrated avionics are essential for enabling air dominance to counter advanced SAMs, emerging threat aircraft, and advanced air-to-air missiles.

Mr. LEWIS of California. Mr. Chairman, I yield what time he may consume to the gentleman from New Jersey (Mr. SAXTON).

(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Chairman, I rise in strong support of the F–22 program.

Mr. SAXTON. Mr. Chairman, I rise to express my concern about the potential decision to eliminate funding for production of the F–22 Raptor.

Our Department of Defense has consistently expressed a need for the development of the F–22 for many years. Indeed, Secretary Cohen has called the F–22 program ''the cornerstone of our nation's global air power in the 21st century.''

I agree that the F–22 program has faced unusual development challenges due to its many advances in aviation technology. I also recognize the need for the Armed Services Committee and this Congress to engage in continuing and intensive oversight of the program.

Yet it is premature to close the production line and effectively end the F–22 program at this time. Congress should allow the Air Force sufficient time and aircraft for the intensive flight-testing and evaluation needed to assess the F–22's value. Only then can the Congress make an informed decision on the future of such an important component of our national security plans.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, first of all, the authors of this amendment I want to congratulate in the most professional way, and I think it is a good debate. Saying the F–15 does not have the same capability as the F–22, no one disputes that. That is like saying that when I was flying the F–4 phantom it was as good as the F–14 that we were building, but I would not want to put so much money in the F–14 that it kept me from surviving in the combat that I was flying in today.

The question is, I would not want to fly the F–22. I think it is going to combat the SU–35 and the SU–37 out, but I have talked to the F–15 drivers. I have also flown the F–15 and the F–16 and the Phantom and some of these assets. Our F–15 drivers are saying, ''Go Duke.''

My colleagues say that these bolt-on equipment that they are spending, the Air Force is already investing in the A9X and the helmet site and the radar that will keep up with the jammer, but they are doing it at this level because the funding is not there.

What I would recommend is that General Ryan goes to the President and says, Mr. President, is this really an emergency? I talked to the gentleman from Missouri (Mr. SKELTON) about it. We have all of these unfunded requirements. Now, these unfunded requirements mean life and death.

I have a program here that is costing $200 million an airplane; and what I need is the emergency supplemental, maybe for Kosovo, to add money; but at the same time, if there is an airplane that costs $200 million here and only 5 percent of it has been tested and the cost traditionally has gone to here, can any of my colleagues justify paying $250 million or $300 million for one airplane? I cannot.

I need Lockheed to come down on the price, and I need the extra funding to fund these things so that the kids that are flying today, I agree, I hated politicians when I was flying. I thought they only got us killed, and I am dead serious. They do not care about politicians. They want to survive, and that is what I am trying to do, is make sure that these F–14, F–15, F–18 drivers that are going to have to fly in this 10-year span until the F–22 comes on the line in full procurement, that they live; that they have a chance against those assets.

I have told the people, I have a plant that may close down in my own district if the F–22 does not close. If it comes between jobs in my district and the security of this country, I will choose security 100 percent of the time, and the lives of these kids.

This is not political for us. It is something that we believe desperately in. Yes, this is high stakes poker, and I think that costs in expensive aircraft and equipment, we need to hold industry's toe to the line so that our kids will be safe and we need the additional funds that we do not have in the defense budget.

Mr. LARSON. Mr. Chairman, I yield 1½ minutes to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Chairman, our Nation's top guns are being put into jeopardy. Like great balls of fire, the F–22, men and women who fly them, have responded courageously, faithfully, and successfully in an instant's notice around our globe. They have protected U.S. interests and U.S. citizens, and they have done so with precision and accuracy that no other plane or pilot has ever been capable of doing.

Without the F–22 air power, our air power is greatly diminished. Any arguments against funding the F–22 just do not hold water. An F–15 upgraded would still lack F–22 capabilities and cost essentially the same, and the joint strike fighter was not designed for the missions carried out by the F–22 and costs dramatically more to redesign.

All of these combat-ready aircraft complement each other and are needed. Some want to question the costs and they want to question the cost of the F–22 program that senior Air Force officials say is the best managed program in the Department of Defense today. Some want to close the books on a program for 15 years of effort and $16 billion in investment has already been spent on the F–22. What a waste it would be to shut down the F–22 program.

□ 1600

Some want to stop the F–22 program even though a firm fixed price on the first eight aircraft has been established. Contractors cannot change the price tag, so this means no risk to the taxpayers.

This program means, and this is close to my heart, $60 million over the life of the program in my district. We have lost 3,000 jobs in my district because of NAFTA. Now we stand a chance of losing more jobs. I think any way one breaks it down, it is a good important program. The F–22 should be funded.

Mr. BARR of Georgia. Mr. Chairman, I am proud to yield 2 minutes to the distinguished gentleman from Georgia (Mr. ISAKSON).

(Mr. ISAKSON asked and was given permission to revise and extend his remarks.)

Mr. ISAKSON. Mr. Chairman, I thank the gentleman from Georgia (Mr. BARR) for the opportunity to share in this 2 minutes.

Mr. Chairman, I want to acknowledge at the outset of my remarks how much I have appreciated the gentleman from Florida (Mr. YOUNG), the gentleman from Pennsylvania (Mr. MURTHA), and the gentleman from California (Mr. LEWIS) in the past 10 days. They have allowed me the opportunity to express my opinion, and they have done so sincerely and not just as a token and a pat on the head.

I want to take the remarks of the gentleman from California (Mr. CUNNINGHAM), and I want to share it precisely with him for a second. He said he may lose a plant in his district. But if he, rather, had the choice between jobs in his district and the United States security, he would always choose security.

Although this plant is not in my district, it is in the district of the gentleman from Georgia (Mr. BARR), many of its employees are. The gentleman from Georgia and I share this thing close. So it is natural for me as a Congressman of the Sixth District to argue for jobs in my district. But I am here to argue for the security of America.

I just give my colleagues a couple of points. In the 21st Century, tactical theater attacks like we have had in Iraq, like we have had in the Balkans, will be the prototype. Our ability to knock out radar early, surface-to-air-missiles early, anti-aircraft early is what allows the rest of the United States military to act precisely without the loss of American lives or ground troops.

The 15, the 14, the 15X will not have stealthy capability equal to the 22. They will not have capacity equal to the F–22. America will be sacrificing if it turns its back and pauses, if I give my colleagues the word ''pause,'' or kills, which could be in fact the correct word, the F–22, then we are placing the security of our country at a higher risk than it would be if we fully funded the F–22.

So while I thank the chairman, the subcommittee chairman, and the ranking member for the courtesy they have shown me, and I mean that, I hope that, during the weeks ahead as we go to conference, they, too, will think of the security of the United States of America because we must always put it

above even a job in our own district. I rise for precisely that reason today.

Mr. LARSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in support of the Defense Appropriations bill overall, which includes a number of very vital items, including a 4.8 percent pay raise for military personnel, additional funds to enhance troop recruitment and retention, 36 Black Hawks which are the premier helicopter in the sky today.

The bill also includes over $180 million for breast cancer, ovarian cancer, research, and prostate cancer. Items that are so critically important to the future of this Nation.

But let me express my concern today, as my colleagues have, about the $1.8 billion cut for six F–22s, which are vital to long-term U.S. national security. The Secretary of Defense, Bill Cohen, seven former Secretaries of Defense have stated that, if we cancel the F–22, we cannot guarantee air superiority in future conflicts.

The F–22 was the world's first stealth air superiority fighter. Replacing the F–15 is critical to maintaining our defense superiority in the next century. Its stealth technology, speed, and ability to counter advanced surface-to-air and air-to-air missiles is unsurpassed.

The F–22 engine is easier to fix than any other fighter's engine. The engine allows the aircraft to fly farther and faster on less fuel.

Our first priority must always be the long-term safety and the security of American families. With the F–22, our Air Force will be able to protect America from the threats to our national security in the next century.

I urge my colleagues to address this critical issue in the conference in the weeks ahead.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas (Mr. DICKEY).

Mr. DICKEY. Mr. Chairman, I support the bill.

Mr. Chairman, I am pleased today to stand in support of the Fiscal Year 2000 Defense Appropriations bill. The subcommittee and the full committee worked long and hard to build the best mix between current readiness needs and future capability requirements, no small task in the face of recent force reductions and increased operational tempo. For that effort I would like to congratulate Chairman LEWIS, for his leadership; Mr. MURTHA, for his bipartisan efforts; and Mr. YOUNG, who as chairman of the full committee and former chairman of this subcommittee, provided helpful guidance.

I do not need to add to the long list of anecdotes, Mr. Chairman, about our serious readiness shortfall. We have no need to remind Members of the aircraft that sit idle awaiting replacement parts, of the combat ships that head out understaffed, or even of the serious recruiting shortfalls that foretell of future readiness problems. These examples are all a matter of public record, even if they are not currently a matter of public awareness.

So the subcommittee comes to the floor today with what we think is the best solution available to solve these problems. The bill reported by the full committee provides a total of $266.1 billion for the next fiscal year, which meets both the budget caps and the funding levels set in the 302(b) allocation. This represents a $15.5 billion increase over the previous fiscal year, and a $2.8 billion increase over the President's budget request.

Highlights include a pay increase of nearly five percent for our soldiers, sailors, airmen, and marines, $225 million for basic housing allowances so that military families can share part of the American Dream, $163.6 million to make up for training shortfalls, and $50 million for domestic defense against weapons of mass destruction. The subcommittee has also recommended the procurement of important readiness items to combat immediate threats to global security, and the continuation of vital R&D, an area that the President continues to under fund.

Now much has been made of our decision to reallocate the procurement dollars requested for the F–22 raptor to other, more pressing, readiness needs. For years we have told the Pentagon that they could not support all of their needs with the money they requested. For years we told them that procurement, research and development, and readiness will suffer. Despite the minimalist requests, we continued to add billions to the budget, all the while under constant fire for ''porking up the defense budget.''

This year, we have continued to increase the defense bill by $2.8 billion over the President's request. These increases include pay raises to get military families off of welfare, new EA–6B radar jamming aircraft so that missiles cannot track our pilots, and $500 million to clear the backlog of base maintenance requests. At the same time, we asked Department of Defense to get serious about their fiscal management and force modernization plans. I am particularly interested in learning why the Department will request six planes that are only five percent flight tested, and no new KC–130's to replace units that could fall out of the sky tomorrow.

With an eye on recent conflicts, we must consider the course for American Military Might in the twenty-first century, and whether that course will steer us toward the vigilante peace that we so desperately desire. I believe that a healthy debate will lead us to determine whether the F–22 is a viable part of our military future, or whether we should focus our efforts elsewhere. Paramount to any decision will be our ability to respond to current and future conflicts and decisive and overwhelming force.

At the turn of the century, on the edge of a new millennium, we face a complex world and a muddied global security picture. The cold war is over, but we find ourselves increasingly engaged in regional conflicts with global implications. I urge Members to support his bill as a responsible preparation to continue our efforts to expand democracy, and as an opportunity to address current readiness and force modernization problems.

Mr. LEWIS of California. Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, I thank the gentleman from California for yielding and giving me this moment to speak.

Let me first compliment and congratulate this committee and this subcommittee on this defense bill.

I started out this year in a comparable committee, the Committee on Armed Services, saying that this should be the year of the troops. To everyone's credit on the Committee on Armed Services and on the Subcommittee on Defense and the full Committee on Appropriations, they have helped make that come true.

The young men and young women of our military will not only receive pension reform, but they will receive pay increases long overdue. On the subject of this particular issue which is before us, there is the old saying: The more emotion, the less reason. Let us look in the past and take a chapter from the past and particularly B–2, which by the way, as the gentleman from Washington (Mr. DICKS) pointed out so clearly, what a wonderful job it did in the recent Kosovo conflict. I am so proud of what they did, the young men and women assigned in the Whiteman Air Force base and the B–2 509th Wing.

The B–2 debate was over several years. It was arduous, hair pulling, and difficult. But at the end of the day, there was a decision made by the committees and backed up by this Congress on what we needed. This is not a matter of F–15Es versus the F–22, because we are comparing apples to oranges. The F–22 is the air-to-air fighting. The F–15E is an air-to-ground system. So let us not look at it that way. Of course, would I like to have F–15Es? We would like to have more, of course.

But what I think we should do is, with as much reason as we can, look at the dollars that are available, look at the need that is necessary for our national interests, and make that decision along the lines that we did for the B–2. America will come out well.

Mr. LARSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut (Mr. GEJDENSON), the dean of our delegation.

Mr. GEJDENSON. Mr. Chairman, I join with my colleagues. We are at an interesting part of this process. As the review of this system has gone, there is obviously both national security issues here and parochial issues, and all of us are suspect to some of that.

But when we look at the legislative process here, the Executive Branch thought it made sense to continue with this plane. Three of the other committees with jurisdiction, both the authorizing committee at the House and the two committees in the Senate thought it made sense to go forward with this plane. Miraculously, the money disappeared from the House Committee on Appropriations to other worthy causes.

That is what we always have to juggle here. There are lots of worthy causes we face. The kinds of arguments against the system are the kinds of arguments we always hear on new systems: Well, it is not quite as good as it is going to be, it really does not give us

that additional benefit. The experts have said it does give us that additional benefit.

Frankly, as we read today in the paper, the same arguments were made as new generations of planes were brought forward in the past. The F–14, the F–15, the F–16, the F–18, in each case, there was a chorus that said these planes did not give us the additional capabilities that we needed.

The one lesson it seems to me that is clear that we should have learned in the last several conflicts is air power is one of the critical ingredients, that strikes of missiles from planes and other systems, that those systems that can deliver our force, without putting our own servicemen and women in harm's way, are of a critical nature.

It seems to me that this process has kind of jumped the rails that, through the executive, the two Senate committees, and the authorizing committee in the House, this system was deemed to be worthy. When we got to the appropriation process, it suddenly lost all that merit.

I think we have to go back and take a harder look at it. I think there is nothing wrong with trying to get a better price out of defense contractors. All of us have them in our districts. They do an important part for our country. Their prime goal is to make sure we have good systems. But we have to make sure those systems come to the taxpayers at reasonable cost.

I hope this process will force us to reexamine all the costs across the board, but to make sure that we do not abandon this system that, in the general recognition, has been a system that would advance our capabilities and give our servicemen and women a far better system than they have today.

Mr. Chairman, I rise to express grave concerns about the cut of $1.8 billion in F–22 production funding in this bill—a move that many believe signals the end of the program.

Mr. Chairman, one of the things that makes the American armed forces so powerful is our unquestioned supremacy in the skies. Our military chiefs base their doctrine on our ability to achieve this.

The F–22 is the Air Force's number one priority, because it will ensure air dominance far out into the future.

Let me quote Richard Hallion, the Air Force Historian, who has an op-ed in the Washington Post today:

> . . . After Korea we took air supremacy for granted, and Vietnam showed the sorry results. Over North Vietnam, American airmen barely had air superiority . . .

He also notes:

> Many of the same arguments made against the F–22 were made in the 1970s against the F–14, F–15, F–16 and F–18: They were too advanced, too complex, too costly, etc. The wisdom of producing them has since been proven repeatedly over the Middle East and the Balkans.

But what of the future, Mr. Chairman? Surface-to-air missile systems, radars, and tactical fighters are still being developed in other nations around the world. In twenty years, who knows where they might have proliferated? The answer—we can't know.

Sure, today our dominance is unquestioned. But if we decide not to prepare for the future, we jeopardize our future.

It's the Air Force's job to seize the skies, Mr. Chairman. It's also the Air Force's job to make sure we can keep seizing them—tomorrow, in a year, in ten or twenty years.

We have to recall the wisdom we had in the 1970s when we went with the F–15. We need to ensure that the air dominance we rely on will still be there for us in the unforeseeable crises that loom two decades away.

Mr. BARR of Georgia. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Nevada (Mr. GIBBONS).

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Chairman, I rise to tell my colleagues that this bill does a lot for our troops around America. But I just cannot support the elimination of the F–22.

Readiness, my colleagues, is the key issue, and it is based upon modernization of our forces. The issue is whether or not we are going to give our young men and women who are fighting on the front line the technology to win that fight.

I remember one time when I was a young boy, someone came to me when I was first learning about defense; and he said, ''Son, you never want to bring a knife to a gun fight. You lose every time.'' This saying came to mind when I looked at this issue about the F–22 because it is an issue about technology.

In that debate over this technology, we have heard about U.S. successes in the Persian Gulf and even in Kosovo that provided a rationale to ''pause'' production of the F–22. Upon further and closer examination, that argument just does not fly, and let me tell my colleagues why. Because the Serbian as well as the Iraqi Air Forces never truly engaged our pilots in a fight or sustained aerial combat. In any future combat, it would be foolish of us to presuppose the bad guys would be afraid to challenge our forces.

Mr. Chairman, we have heard arguments that the U.S. successes in the Persian Gulf War and the Kosovo Conflict provide the rationale to ''pause'' the production of the F–22. However, upon closer inspection, this argument does not fly, most notably because neither the Iraqis nor the Serbian Air Forces actually engaged our fighters in sustained aerial combat.

There is no doubt in anyone's mind that our forces performed brilliantly, however it would be tactically inept to pre-suppose that future ''bad guys'' will be afraid to send fighters up to challenge our air forces, as the Iraqis and Serbians were.

Further, we should not penalize the U.S. Air Force for being ''without peer'' in the world by not funding the technology to keep them there in the future. It is incumbent upon Congress to ensure that when the next adversary we face decides to fight, and not run away, our pilots are equipped with the aircraft and the technology that will allow continued dominance in the air.

I would like to read an excerpt from a statement written by seven former Secretaries of Defense, men who were chosen to lead our nation's armed forces, and whose commitment to national security is without question.

These men, William Perry, Caspar Weinberger, Frank Carlucci, Donald Rumsfeld, Richard Cheney, Harold Brown and James Schlesinger, all comprehend the importance of preserving American command of the air and state:

> It is not enough to say that something better may be available in the future. Something better is always available in the future. Serious threats to American air superiority may arise sooner, and the nation's security cannot tolerate a loss of command of the air. Congress and the Administration must focus on this fundamental reality, and fully fund the nation's only truly stealthy air superiority fighter.

That fighter is the F–22 Raptor.

Secretary of Defense Cohen stated last week that, ''The proposed cut jeopardizes our future warfighting capability and will place our forces at higher risk.'' He went on to say that he could not accept a defense bill that kills this cornerstone program. A pretty powerful statement from the man who has been chosen to lead our armed forces today and into the millennium.

Let me also point out Mr. Chairman, that this is not simply an Air Force program. This fighter provides the basis for all joint warfighting in the future. Why? No U.S. soldier has been killed by hostile air power in over forty years. In order to assure that we provide our Army, Navy, Marine and Air Force ground personnel this same level of protection, we must provide for the future of air dominance today.

We must be far-sighted in our modernization efforts and cutting of $1.8 billion from the F–22 account is myopic, at best.

I'll close by saying that it's interesting to note that the $1.8 billion spent on the F–22 Raptor this year is equivalent to roughly 10 hours' worth of Federal spending. In my mind, a bargain to bring air dominance to our nation's armed forces in the future.

Mr. Chairman, I urge all my colleagues to support the funding level for the F–22 Raptor that was passed in the House Defense Authorization Bill and the other Chamber's Defense Authorization and Appropriations Bills. The time is now.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. PORTER) from the Committee on Appropriations for purposes of a colloquy.

Mr. PORTER. Mr. Chairman, I thank the gentleman from California (Mr. LEWIS), the distinguished chairman of the subcommittee for this opportunity to raise my concerns with section 8128 of the bill.

This provision would accelerate the auction for certain frequency spectrum, and I want to be sure that, in doing so, Congress sends the signal that it is not releasing the FCC from its existing obligations to perform a proper allocation and licensing process. If not, important public safety uses like police and fire services operating in adjacent bands would be exposed to serious harm. Further, by ensuring that the FCC completes a responsible evaluation of the public interest in allocating spectrum for this auction, the

FCC can help to secure a more successful auction for the American taxpayer.

Mr. Chairman, I yield to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I thank the gentleman from Illinois for yielding to me. It is correct to say the FCC does have an obligation under law to make a public interest determination, prior to auctioning this spectrum, concerning which telecommunications services should be eligible to operate on it. The FCC must structure its service and auction rules so as to implement the public interest determination.

It is important to ensure that the FCC may not, for example, permit any use of this spectrum that might result in harmful interference to public safety systems, especially those used by States and localities in their important crime and fire prevention pursuits which operate on adjacent bands to what would be auctioned here.

Mr. PORTER. Mr. Chairman, I commend the distinguished gentleman from California, the chairman of the Subcommittee on Defense, for bringing this bill to the floor, and I seek his commitment to ensure that the resolution of our shared concerns are clarified in conference.

Mr. LEWIS of California. Mr. Chairman, I am very pleased to work with the gentleman as we go towards conference. I am delighted to have his cooperation in this matter.

Mr. BARR of Georgia. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Connecticut (Mrs. JOHNSON).

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Chairman, I have the greatest respect for the gentleman from California (Mr. LEWIS), subcommittee chairman, and the gentleman from Pennsylvania (Mr. MURTHA), ranking member.

However, I must rise to express my grave reservations and concerns about the decision to cut $1.8 billion in procurement funding the F–22.

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The Air Force and the Department of Defense developed the F–22 as a modern air superiority fighter to seize and hold air dominance in future conflicts. The F–22 is the cornerstone of our Nation's global air power in the 21st century and will ensure our technological lead for the next 30 years, just like the F–15 did 25 years ago.

Pausing or delaying production puts our forces at higher risk and hurts thousands of workers whose skills are critical in fighter sophistication and safety and reliability. In addition, delaying the program just 2 years will add approximately $8 billion in completely unnecessary costs to the F–22 program.

No matter how much money this bill throws at the F–15, the cost of sustaining the current F–15 fleet will increasingly compromise Air Force modernization.

Mr. Chairman, I urge support of the amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I thank the gentleman for yielding me this time, and first of all I would like to discuss the appropriations bill from the standpoint of the authorizers looking at this bill out of the personnel accounts.

With regard to recruiting and retention and retirement, I extend great compliments to the gentleman from Pennsylvania (Mr. MURTHA) and also to the gentleman from California (Mr. LEWIS) as the chairman. Without the military personnel recruiting initiatives in the bill, the request for military services, I think, would fall way short.

I would like to extend great compliments on the pay initiatives, not only the reforming of the pay tables but the 4.8 percent pay raise will go a long way. We also have many different retention bonuses, pro-pays and flight pays which will be very meaningful not only in the NCO mid-grade officer level but throughout the force.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I just want to compliment the gentleman for his effort in making sure that the troops did get their pay raise and the way it was apportioned. All of us are indebted, including the military services, for the gentleman's work in that particular area.

Mr. BUYER. Reclaiming my time, Mr. Chairman, I thank the gentleman for those comments.

What will also be very important on the retention issue is the retirement initiatives. Repeal of the REDUX will go a long way. When I think about this bill, I just want to say to every soldier, sailor, airman and marine, ''This bill is about you.''

But, Mr. Chairman, I have a question for the gentleman from California (Mr. LEWIS). As I reviewed the appropriations, the mark, I noticed that there were some, well, I do not want to be as strong as to say inequities, but I cannot find a better word for it. Out of the guard and reserve equipment accounts I compliment both the chairman and ranking member for almost an $800 million plus-up for their accounts, but 83 percent of that is dedicated right now for the air guard and the army guard, with only 17 percent for all other reserve components.

For instance, Mr. Chairman, the Air Force National Guard. Forty-three percent of that pot goes to them, while only 3 percent goes to the Air Force Reserve. What I would like to do with the chairman is have an assurance that he can work with myself and the gentleman from California (Mr. HUNTER) to bring equity to the report language as we move to conference.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, let me say to my colleague that I not only appreciate his work on the authorizing committee, but also on the subcommittee he chairs and has these serious responsibilities of which we speak.

I want to assure the gentleman that I intend to work closely with him, as well as the gentleman from California (Mr. HUNTER), following our debate today as we go to conference, as well as in the years ahead.

Mr. BUYER. I thank the gentleman for his time, Mr. Chairman.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent to yield 5 minutes to the gentleman from Connecticut (Mr. LARSON) so that he might distribute that time.

The CHAIRMAN. Without objection, the gentleman from Connecticut (Mr. LARSON) has 5 additional minutes.

There was no objection.

Mr. LARSON. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT), and I want to thank him personally for the help and mentorship that he has provided me throughout the year, and especially on this issue.

I also want to thank the gentleman from California (Mr. LEWIS) for his generosity with the time, Mr. Chairman.

Mr. SPRATT. Mr. Chairman, I thank the gentleman for yielding me this time, and let me say first of all that I do not have a dog in this fight. I represent Shaw Air Force Base and I represent flyers who fought in the Gulf and flyers who fought from Aviano, General Dan Leaf, and they believe in stealth and they have convinced me it is the way to go. They also believe in the mission of air superiority, and I am here to speak for them.

I am also here to speak as an old cost analyst. That is where I cut my teeth in the Pentagon. And what we were taught as cost analysts is, the first rule of analysis is forget sunk cost. If we get to the sunk cost of this program, and I am told it is about $20 billion, I do not know as much as I should to be talking, the numbers change dramatically. Because the relevant comparison is not the program unit cost, in procurement parlance, the relevant cost comparison for F–15X purposes is procurement costs.

Program unit cost includes everything, divided by the number of units we are going to buy. Procurement unit cost includes just those costs we are going to procure, spare parts and airspace ground equipment, prospectively. The difference in this case is $183 billion to $187 billion for program unit cost, but $117 billion then-year dollars for procurement unit cost. At $117 billion, this airplane becomes very, very competitive, just in cost dollars, with anything the F–15X would look like.

Secondly, we were taught to look at life cycle cost. That is critically important. What are we worried about right now? O&M. That is where life cycle cost gets captured. The life cycle cost of this system, if it comes in as planned, is supposed to be significantly less. About 37 percent less.

The gentleman from California (Mr. CUNNINGHAM) is smiling. I do not know whether it will be retained, but at least that is the program objective, 37 percent less. We are supposed to be able to get 8½ sorties per airplane before major maintenance with this airplane, as opposed to about five with the F–15. Over time that makes a big difference, if indeed that objective is realized.

Finally, Mr. Chairman, we need to look at commonality. One of the things that is being developed in this program in conjunction with other programs is the engine. The gentleman from California (Mr. CUNNINGHAM) was just pointing out to us that the engine in this airplane is the same engine as in the JSF. If we buy fewer units of this engine, because we are not buying 400 or 500 of these airplanes, the JSF is going up significantly, let me tell my colleagues.

So this is a way of spreading cost, buying the new engine for the same airplane, and we should really commend the Air Force and all the services for trying to get together in one common airframe and using one common engine as well.

Finally, there are related costs, associated costs. Don Wright, as the Secretary of the Air Force, when he was trying to sell the B–2, had a favorite chart. He had all the things that did not have to fly when the B–2 flew a mission, all the escorts and the chasers and the associated aircraft that did not have to fly when the B–2 flew, because it made the single-unit cost of the B–2 look like a much better deal. Just keep that in mind. Air superiority matters when it keeps the AWACS flying, the JSTARS flying, because it makes all the rest of this conventional stuff work.

Mr. BARR of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. FOLEY).

(Mr. FOLEY asked and was given permission to revise and extend his remarks.)

Mr. FOLEY. Mr. Chairman, I rise in support of the bill we are considering today but in opposition to the portion that cuts all funding for procurement of the F–22 aircraft. If the F–22 is eliminated, it could be decades before we are able to replace our standard air superiority aircraft, the F–15, with a suitable replacement.

In future conflicts this could mean American pilots in combat flying planes as old as their fathers. I fear the path we are headed down will lead to many more American pilots at risk, because they will be going up against potentially superior enemy aircraft.

I received a letter last week, Mr. Chairman, from a constituent who wrote he was attending a World War II veteran survivors meeting, and he wrote, ''We will conduct a memorial service for those who died in the past year with a roll call, candle lighting and prayers, and also remember those who gave their lives and never came home from the war.'' He continues, ''We need the F–22 program to keep our air power the best in the world, both for our pilots and for our country.''

Mr. Chairman, let us give our military personnel the best equipment possible. I sincerely hope that this program will be fully restored in conference.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I rise today in support of H.R. 2561, because I believe it is very important that we continue to move the appropriations process forward and because I salute the hard work of the gentleman from California (Mr. LEWIS) on this issue. However, I have some strong reservations about the legislation before us.

Let me say that I recognize the very difficult budgetary challenges that the gentleman from California and the Subcommittee on Defense faced in assembling this bill. Every Member of Congress who follows defense closely is concerned with our defense needs and knows that they are underfunded, and I join my colleagues in wanting to see our Armed Services remain the best in the world. So knowing that we share the same goals, I look forward to continuing to work with the chairman to improve this legislation as we proceed to conference.

One element of the bill I hope the committee will improve in conference is the decision to pause procurement of the F–22. But make no mistake, there is no pause. A pause in this program will result in the death of this program. A pause tells our enemies the United States has stopped reaching ahead to the future.

Some have argued that we do not need the F–22 because there are no other enemy aircraft that can challenge the fighter planes we have today. Others have said the Joint Strike Fighter is all we need for the future. I am here to say that both of those arguments are wrong. Many of the Members here today have attended the Air Force's classified briefings where we have had outlined the current and future threats to our air superiority. I believe the top officers in the Air Force, men who have given their entire careers to the safety of this country, know what they are talking about. I believe the threats that they have outlined are real, and I believe the Air Force is right to make the F–22 its priority, and the Congress should too.

Members should also know the Joint Strike Fighter is not a substitute for the F–22. The F–22 is designed for absolute air superiority; to engage and destroy enemy aircraft at greater standoff distances, to operate at supersonic speeds without using afterburners, to be stealth, and to save the lives of our pilots. Do not be misled, the F–15 is not stealth. It does not have the same performance range. It is 30 years old. It does a good job, but it cannot be modified endlessly into the future. It cannot be the advanced technology for the 21st century.

Likewise, do not be misled into believing that the Joint Strike Fighter is a substitute for the F–22. They are designed to enhance each other's capabilities. The Joint Strike Fighter is a multi-role tactical aircraft, not an air superiority aircraft. It is meant to follow the F–22 into combat, not lead the charge. In fact, we need both planes.

And that leads me to my final point, Mr. Chairman. We cannot just skip the F–22 and go on to the Joint Strike Fighter. Killing the F–22 means the Joint Strike Fighter will also be killed, or at least seriously injured and delayed. Too much of the technology for both planes is being developed simultaneously. If the F–22 is dropped, the Joint Strike Fighter goes too. It is not possible to separate those contracts.

My colleagues, the defense budget is simply inadequate. We should not have to choose between today and tomorrow for our armed forces. While it is difficult to balance these needs, it is still possible. We should not be penny-wise and pound-foolish when it comes to our national security. I ask my colleagues to please help us work with the gentleman from California (Mr. LEWIS) and the gentleman from Florida (Mr. YOUNG) to restore the F–22 in conference.

In conclusion, I commend the gentleman from California (Mr. LEWIS) for including some very good measures for our military personnel, and I thank him for his commitment to our Armed Services.

Mr. LARSON. Mr. Chairman, may I inquire of the time remaining?

The CHAIRMAN. The gentleman from Connecticut (Mr. LARSON) has 2 minutes remaining.

Mr. LARSON. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise acknowledging the difficult task the chairman of the full committee and subcommittee have, as well as our ranking members, but I must rise in support of continued funding for procurement of the F–22.

Basic knowledge of warfare states that one must have undisputed air superiority before introduction of ground troops. Achieving air superiority is the first order of business for any joint force commander. Opponents of the F–22 say that the current stable of fighter aircraft will be able to handle any foreign opponent aircraft. This argument does not address the growing sophistication of the surface-to-air-missiles that are currently available on the market today and their cheap availability.

The F–22 will stand a much better chance against such threats than the F–15 in the future. I support continued funding of the F–22 and the full procurement. The Secretary of Defense has come out in support of this position and the Air Force has made it their number one modernization priority.

□ 1630

Mr. BARR of Georgia. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. STEARNS), the cochair of the Air Force Caucus.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I think, like others, I am coming down here to urge the Committee on Appropriations to restore the needed funding for the F–22 in their upcoming conference.

I think the F–22 advanced fighter aircraft represents, of course, the next generation of superior American military aircraft; 1974 was the last time we started with an advanced fighter aircraft.

There is no alternative to the F–22 in the Air Force inventory for future combat operations that can provide or evolve to provide the capabilities that are inherent in the F–22, nor is there an alternative in development.

Richard Hallion writes in today's Washington Post, ''Failure to procure the F–22 would mark the first time since World War II that the United States has consciously chosen to send its soldiers, sailors, and airmen into harm's way while knowingly conceding the lead in modern fighter development to a variety of foreign nations that may sell their products on the world's arms market.''

America needs the F–22 and it needs it now.

Mr. Chairman, I rise to speak in support of the most fundamental component of America's future defense needs in maintaining our air dominance during military combat—the F–22 Raptor fighter aircraft.

I cannot speak on behalf of the F–22 any better than Richard Hallion has done in an op-ed that appears in today's Washington Post.

Mr. Hallion writes that, ''It takes more than a decade to develop a fighter, and it is imperative that we make the right choice. The hallmarks of a dominant fighter are the ability to evade and minimize detection, transit threat area quickly and exploit information warfare to react more quickly than one's foes. Only one aircraft contemplated for service today can do that: the F–22.

The F–22 advanced fighter aircraft represents the next generation of superior American military aircraft. The F–22 combines ''radar-evading stealth with the ability to cruise at supersonic speeds and to exploit and display data from various sources to better inform the pilot about threats and opportunities.''

The U.S. Air Force has become victim to their own military success. The action by the Defense Appropriations Subcommittee and the full Appropriations Committee to cut funding for the procurement of the F–22 comes on the heels of the Air Force's dominant performance against the Yugoslavian military and their air defense systems.

The Yugoslavian success has been the third consecutive military campaign since 1990 that the U.S. military has been able to dominate the air. Mr. Hallion writes that, ''exploiting dominant aerospace power is the irreplaceable keystone of our post-Cold War strategy for successful quick-response crisis intervention.''

''Seeking air superiority should never be what we choose to live with. Rather, air supremacy should be the minimum we seek, and air dominance our desired goal. Control of the air is fragile and can be lost from a variety of causes, including poor doctrine and tactics, deficient training, poor strategy and rules of engagement. But worst of all, it can be lost through poor aircraft.''

As a rest of the world continues to develop advance military aircraft and continues to develop high-quality surface-to-air and other missiles, America's ability to continue to dominate the air in military engagements with the existing arsenal of aircraft will be greatly diminished.

There is no alternative to the F–22 in the Air Force inventory for future combat operations that can provide or evolve to provide the capabilities inherent in the F–22. Nor is there an alternative in development. The F–22 will clear the skies of enemy aircraft and destroy enemy air defenses.

The F–22 will breach enemy defenses, bomb highly defended strategic targets and interdict enemy forces. No other aircraft in the U.S. inventory or in development can meet that need.

The actions to withhold sufficient funding for the F–22 by the Appropriations Committee will in fact increase the cost to the American taxpayer. The reduction of the FY 2000 funding for the F–22 has a net impact of terminating the current production program and increases total Air Force costs by $8.4 billion or roughly the current cost of 85 additional F–22 aircraft.

Finally, I would like to close with more words from Richard Hallion. ''Failure to procure the F–22 would mark the first time since the Second World War that the United States has consciously chosen to send its soldiers, sailors and airmen into harm's way while knowingly conceding the lead in modern fighter development to a variety of foreign nations that may sell their products on the world's arms market. America needs the F–22, and needs it now.

I urge Chairman YOUNG, Chairman LEWIS and all future conferees to the Defense Appropriations bills to accede to the Senate position on fully funding for FY 2000 for America's most significant next generation fighter aircraft that will preserve America's national security and protect our national security interests around the world. Work to protect the F–22.

Mr. LEWIS of California. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Washington (Mr. METCALF).

(Mr. METCALF asked and was given permission to revise and extend his remarks.)

Mr. METCALF. Mr. Chairman, I thank the chairman for yielding me the time.

Mr. Chairman, I rise today to support the continuation of the procurement of the F–22 because it is vital to the continued air dominance for the United States.

Mr. Chairman, air superiority has become the essential piece of military action, and the F–22 will guarantee our success into the next century.

This program must remain on schedule to ensure that the U.S. forces responsible to keep this country's vital interests safe have the absolute best technology available.

The proliferation of advanced surface-to-air weapons, systems as seen in Kosovo, serve to underscore the need for the F–22 now. At a time when we are uniquely aware of the challenges and demands placed on our military, we must go forward with this program.

I ask my colleagues to support the F–22.

Mr. LEWIS of California. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS) my colleague.

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Chairman, I first of all want to thank my friends, the gentleman from Florida (Chairman YOUNG), the gentleman from California (Chairman LEWIS), and the gentleman from Pennsylvania (Mr. MURTHA), the ranking member, for the great job that they have done in a very tough environment. We have all had very difficult budget issues to resolve, and this is yet another one.

But I also rise to talk about securing America's future. Part of the cornerstone of securing America's future is to provide for a strong national defense. In order for our continued strong national defense in this country, we have got to maintain air superiority.

Now, what we are doing by reducing the funding of $1.8 billion for the F–22 program is to move the F–15 into an upgrade status. The F–15, make no mistake about it, has been a great airplane for the United States Air Force. But the threat out there today, as my friend from California has already alluded to, is the SU–27, which is on parity with the F–15.

If you upgrade the F–15, we are looking at the SU–35 that is a Russian-made airplane coming down the line that will be superior to the upgraded F–15. Yet they have another airplane on the drawing board already. We simply will not be in parity if we do not have the F–22.

Sure, cost is a problem. But can cost measure saving lives of our young men and women? The F–22 is an absolute necessity to maintain air superiority. There are three things that the F–22 has as an asset that no other airplane has. It has integrated avionics. It has supercruise capability. And it has stealth.

The F–15 has none of these. The upgrade will have none of these. The F–22 has the capability of first-day, first-shot, first-kill. Against the other airplanes that are out there today, the F–15, even with its upgrades and modifications, will not have that capability.

If we are going to maintain air superiority that has been so valuable and such an absolute necessity in the Persian Gulf and in Kosovo and other areas of the Balkans, we have got to have the F–22.

I urge the chairman to really negotiate hard in conference on this issue.

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

Mr. Chairman, let me start by saying how much I appreciate the efforts especially of the gentleman from California (Mr. CHAMBLISS) who helped put together a working group of concerned Members of Congress who I think have demonstrated this afternoon on both sides of this issue concern about national security and safety.

It is my sincere hope that, as we move forward with the conference, that the conferees from the House take into consideration the concerns that have been brought forward during this debate.

Mr. Chairman, I would like to thank especially the gentleman from Pennsylvania (Mr. MURTHA) for his kindness and mentoring through this process.

Mr. BARR of Georgia. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentleman from the great State of Georgia (Mr. KINGSTON), a member of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I also yield 1 minute to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank both gentlemen for yielding me the time.

Let me say that I am going to support this bill. The ranking member and the chairman of the committee have worked hard on a bill that balances quality of life, readiness, and modernization in the face of a budget shortfall in a long list of very many needs.

There are three reasons that I am standing in support of including the F–22 in the final bill. And that is, number one, the threat. That has been outlined fairly well by previous speakers, but let me just put it this way:

When George Washington was President, the Congress had a bill that said that our standing military would never be more than 5,000 troops; and the President at that time said that would be great, but let us also pass a bill that we cannot be invaded by any country that has more than 3,000 troops.

We do want a fair fight in America. And our enemies are not cooperating. While we may pause on the F–22, they may not pause on their development of stealth fighters. We know from our classified briefings, that the threat is real.

The second reason I support the F–22 is because of the slippage. If we hold back because of a very complicated purchasing system that involves over 200 contracts by the producer, it will cost us an additional $6 billion to get up and running again. It also will cost us some soft costs.

For example, with the F–22, the Air Force does not need the EF–11s. But without it, they will need them. And so, we are going to have to start spending money on that again. The slippage cost is real, and again it is about $6 billion.

The third reason I support the F–22 is because the Joint Strike Fighter, as the gentlewoman from Texas (Ms. GRANGER) said very articulately, is a complement to the F–22. It is not a replacement.

I believe there is some other money out there. We did not spend all our money that we had appropriated in the bombing of Kosovo. Maybe we should look at going back into that supplemental bill and bringing some of this money back to make this happen. I am not sure.

But I appreciate the gentleman listening to us, and I appreciate the leadership on the issue and hope we can get this done in the final version of the bill.

The House Department of Defense Appropriations Bill for FY00 provides an extremely important allocation of resources in a serious effort to improve critical shortcomings affecting the readiness of our armed forces. This bill meets the budget authority and outlay limits set in the Committee's 302(b) allocation, provides a critical $15.5 billion increase over appropriations in FY99, and provides $2.8 billion above the President's request. This legislation goes a long way to address critical readiness, recruitment, retention, operational maintenance, and quality of life needs that are so important for our military. However, I am concerned about one aspect of the legislation's strategy, cutting programmed funding for the initial production of the Air Force's number one development priority, the F–22, Raptor.

We expect our military to remain the world's best, head and shoulders above any potential aggressor. We demand that our armed forces reign supreme in personnel, training, professionalism, and equipment. We do not want parity with our enemies, we demand superiority. We do not want to win conflicts by attrition but by overwhelming our foes. A most critical aspect of our superiority is our ability to achieve and maintain all superiority in any conflict. Furthermore, today Americans have grown to expect to win conflicts with minimal or even no casualities. The best trained pilots in the most advanced aircraft are the great enabler in any conflict whether to protect our Navy, or to allow the introduction and free maneuver of our ground forces. Air superiority is vital. Experience in modern warfare has continued to reflect the importance of this from success in World War II to operations during Desert Storm and Operation Allied Force.

The F–22 aircraft is being produced to replace the F–15 fighter and to accomplish its air superiority mission beginning in 2005. The F–15 currently represents 1960's technology and the aging fleet will average 26 years old when the F–22 is scheduled to be operational. Today's F–15's have served our country well, but in the future our pilots will be at risk. Its capabilities today are at parity with the Russian SU–27, MIG–29 and by 2005 will be at a disadvantaged facing the Russian SU–35 or the French Rafael, and the European Fighter 2000 aircraft that will be available on the world market. Additionally, the surface to air missile threat continues to advance world wide. today, the SA–10 and SA–12 millile availability pose a threat to the F–15. Proliferation of SA–10 and SA–12 capability has increased from four countries in 1985 to fourteen in 1995 and an estimated 22 by 2005. The F–22 will have the capability to counter the surface to air missile threat through stealth technology, supercruise capability that will significantly reduce missile engagement opportunity, maneuverability and unequaled pilot awareness.

The F–22 aircraft does bear costs, $19 billion have been invested to date, but the cost and advanced technology provide significant efficiencies and long term savings. The F–22 will reduce by half the number of maintenance personnel for each aircraft. It is expected to have 30 percent reduction in direct operations and sustainment costs per squadron per year when compared to the F–15. A quicker combat turnaround time will allow higher sorties rates during a conflict. The F–22 program costs are under control and are within the Congressional mandated cost caps for both development and production. This plane utilizes cutting edge technology to ensure our Air Force continues to maintain our nation's superiority in air combat.

Based upon the status of the current F–22 program, a pause in funding the F–22 procurement requested for FY00 would put the entire program at serious risk. Contract obligations would be breached if aircraft procurement is not funded. This would result in at least a three year delay in the program, would increase costs by $6–8 billion, and exceed the caps set by Congress. The production delay could seriously affect numerous suppliers that could not afford to stop and restart production causing significant erosion of the program's industrial base. Such a pause would seriously disrupt an intricate supply system established in all but a few states.

A pause or end of the F–22 program would have a very negative impact on the future of an important complementary aircraft, the Joint Strike Fighter (JSF). The JSF also under development is being designed as a multi-role aircraft for three services to replace the capabilities of the F–16 and A–10 fleet, with fielding goals in FY10. It is being developed to perform as an air-to-ground combat aircraft to complement the air-to-air combat role of the F–22. The characteristics of these plans will differ greatly. If the F–22 program is killed, the U.S. will have a void in the capabilities required by the F–22, the action could cause great changes to JSF, or require development of a whole new kind of aircraft, all of which would delay the fielding of the JSF. Additionally, the JSF leverages certain technologies from the F–22, including avionics and engines that use the F–22 as a stepping stone for advancements. Setback of the F–22 program will degrade progress on the JSF. Ultimately, this action could place our air supremacy capability in extreme danger.

Finally, as the F–22 harnesses and employs superb, advanced technology, the development and testing of the aircraft does the same. Flight testing of two test aircraft has proceeded well. Avionics testing has been ongoing through three bench labs and one flying test bed, a 757 aircraft with all avionics including a full cockpit from an F–22. Advanced computer models have also enhanced the ability to hone the technical aspects of the

plane. Nine aircraft are funded in the Engineering and Manufacturing Development (EMD) phase of this program. All nine aircraft will be delivered by FY01. Production aicraft that have been requested by the Air Force to be funded in FY00 will not complete production until FY03. This low rate initial production is necessary to efficiently utilize the open delivery line. Testing will be 90% complete and initial operational testing and evaluation will complete in mid-year 2003. The program minimizes risks and employs efficiency and responsible costing to meet delivery milestones. When compared with previous aircraft production such as the F–15 and F–16, the F–22 minimizes, by a large degree, the number of production aircraft during the EMD phase.

In closing, the House Department of Defense Appropriations Bill for FY00 is a good bill that will provide relief for many aspects of our services needs. It goes far to take care of the men and women who serve in America's Army, Navy, Air Force, and Marine Corps. I will vote in favor of this legislation, but with apprehension that this bill does an injustice to the number one Air Force development priority and a critical Department of Defense program that has vital implications on how we remain the undisputed air superiority and air supermacy power in the world.

This amendment was offered in the Appropriations Committee by Mr. KINGSTON, but was withdrawn and not offered on the floor.

NEW GENERAL PROVISIONS RESTORING F–22 FUNDS AND PROVIDING ADVANCE APPROPRIATIONS FOR SEVERAL PROGRAM INCREASES

In the appropriate place in the Committee Print Bill, insert the following new general provision:

SEC. XXXX. Notwithstanding any other provision in this Act, the total amounts appropriated in this Act for Titles III and IV is hereby reduced by $1,852,075,000 to reflect the deletion of the following amounts for the following programs: $208,000,000 for eight KC–135 re-enginings; $440,000,000 for eight F–15E aircraft; $564,000,000 for KC–130J aircraft; $250,000,000 for one JSTARS aircraft; $98,000,000 for five F–16 C/D aircraft; $63,000,000 for one Operational Support Aircraft; $100,000,000 for additional AMRAAM procurement; $50,000,000 for additional JDAM procurement; $79,075,000 for B–2 upgrades; *Provided*, in addition to the amounts provided elsewhere in this or any other act, $1,852,075,000 is hereby appropriated to be available October 1, 2000, until expended, in the following amounts for the following programs: $208,000,000 for eight KC–135 re-enginings; $440,000,000 for eight F–15E aircraft; $564,000,000 for KC–130J aircraft; $250,000,000 for one JSTARS aircraft; $98,000,000 for five F–16 C/D aircraft; $63,000,000 for one Operational Support Aircraft; $100,000,000 for additional AMRAAM procurement; $50,000,000 for additional JDAM procurement; $79,075,000 for B–2 upgrades: *Provided further*, in addition to the amounts appropriated elsewhere in title II of this Act, $1,574,981,000 is provided for F–22 procurement and $277,094,000 for F–22 Advance Procurement.

WHY WE NEED THE F–22

THREAT

Need F–22 to counter future and current surface-to-air missile (SA 10/12) threats. The F–15 cannot operate in this environment by itself

21 countries expected to possess SA 10/12's (advanced SAMS) by 2005

237 of world's 267 nations have surface to air missiles

There will be a five fold increase in the number of countries with radar guided air to air missiles

As many as 700 MIG–21's may be upgraded between 1995 and 2000

F–15 began service in early 1970's (almost 25 years ago)

When F–22 becomes operational in FY06, the F–15 will average 26 years old

When JSF becomes operational in FY10, the F–16 will be 24 years old

30–40 year old F–15's put our pilots at risk

Today the F–15 is just at parity with the SU–27 and MIG–29.

By 2005 the F–15 will be disadvantage to the SU–35 and the export versions of the Rafale and European Fighter 2000

Air to air missiles are proliferating and becoming more capable

IMPACT OF SLIPPING PROGRAM

3 year delay in program, voids contracts, and kills program

This is not a pause, it kills the production program

Increase in costs breaks the contract price and the Congressional costs caps

Increases Air Force costs by $6.5 billion

Set back for Army's number one priority the Commanche helicopter since they have some common systems)

$16 billion already invested to date

Loss of industrial base to support F–22 program

Upgrading the F–15 would cost about $26 million per plane

F–22

F–22 replaces the F–15 for all weather air superiority and deep attack

Increased capabilities: stealth, supercruise, maneuverability, avionics, weapons payload

First look, first shot, first kill against multiple targets

Flight tests have gone well

Costs are controlled, costs are within funding caps set by Congress

The F–22 will reduce by half the number of maintenance personnel for each aircraft

F–22 will cost $500 million less to operate and support over 20 years than an F–15 squadron

F–15 afterburner operations are limited to 5–7 minutes, F–22 can operate at supercruise for a significant period of time without afterburners

20% lower combat turnaround time for the F–22/higher sortie rate

Lower deployment requirements (14 C–17s to deploy F–15 vs. 4 C–17s for F–22)

JSF

JSF leverages technologies from the F–22 (avionics, engines)

JSF is a multi-role air to ground fighter to complement (not replace) the air-to-air role of F–22

JSF replaces the F–16 and A–10 and meets requirements for other military services

Without the F–22, the requirements for JSF change and will delay JSF by several years

for more information contact Congressman KINGSTON or Congressman CHAMBLISS.

POINT PAPER ON HAC–D MARK TO F–22 PROCUREMENT

BACKGROUND—WHY THE USAF NEEDS THE F–22

The 21st Century Force Structure—The Air Force's modernization strategy is built on the proper mix of ''High'' capability F–22s and ''Low'' cost Joint Strike Fighters (JSF) to achieve the dominant capability and operations tempo to support Joint Vision 2010's goal of full spectrum dominance.

F–22 is the high-capability force enabler designed to accomplish the most demanding missions of air superiority and attack of high-value, highly defended targets.

A combination of stealth, supercruise, integrated avionics, and larger internal air-to-air weapons payload are its primary attributes.

The JSF is the low-cost majority of the force—balance of affordability and capability allows procurement of greater numbers to perform a variety of missions and sustain the required high tempo of modern warfare.

JSF will rely on the F–22 for air superiority.

JSF will modernize the largest part of our fleet providing an affordable replacement for the F–16 and A–10.

JSF is dependent upon F–22 technologies and will complement the F–22 in the future as the F–16 complements the F–15 today.

The Need for the F–22—Joint Vision 2010 requires the Air Force to achieve Air Dominance—the ability to completely control adversary's vertical battlespace.

The current air superiority fighter, the F–15, is at parity today with the SU–27 and MIG–29; by IOC for F–22 in 2005, the F–15 will be at a disadvantage with the fielding of the SU–35 and export versions of the Rafale and Typhoon, and the proliferation of advanced air-to-air missiles such as the AA–11, AA–X–12, and MICA.

The development and proliferation of advanced surface-to-air missiles (SAMs) such as the SA–10 and SA–12 result in a sanctuary for the enemy because the F–15 will be unable to operate in this environment without a protracted, asset intensive, defense suppression campaign.

F–22's attributes of stealth, supercruise, and integrated avionics will allow it to operate in the presence of the total threat—emerging threat aircraft, advanced SAMs, and advanced air-to-air missiles.

Provides American forces the freedom from attack, freedom to maneuver and freedom to attack.

the Time is Now—The current Air Force fighter modernization program is an affordable and effective solution demanded by the increasing age of our current fighter force structure.

By F–22 ICO in 2005, the average age of the F–15 will be 26 years old.

By JSF IOC in 2010, the average age of the F–16 will be 24 years old.

F–22 is an essential investment to achieve air dominance—the key enabler for 21st Century Combat Operations.

DISCUSSION—IMPACT OF THE HAC–D REDUCTION ON THE CURRENT F–22 PROGRAM

The proposed reduction of the F–22 FY00 funding has a net impact of terminating the current production program and increases total Air Force costs by $6.5 Billion (does not include costs for Service Life Extension of F–15 to accommodate 2 year slip to F–22 Initial Operational Capability).

Termination of the current production program—The current F–22 production strategy to procure all 339 aircraft within the Congressional Cost cap of $39.8B Key elements of this strategy are: fixed price options for the PRTV and Lot 1; target price curve (TPC) for Lots 2–5; and multi-year contracts for lots 5–12.

Impact: Termination of the Lot 1 buy voids the fixed price agreement for the PRTV/Lot 1 buy and contractually requires termination of the PRTV aircraft buy. This in turn breaks the TPC and results in a production cost increase over the Congressional cost caps. A new production strategy initiated in FY02 with an 8 aircraft buy (requires Advance Buy in FY01) and a new production profile (8, 10, 16, 24, 36) results in a production cost increase of $5.3B, which breaks the Congressionally mandated production cost cap of $39.8B.

Extension of the EMD program by 15 months—The cancellation of the PRTV aircraft drives the requirement to retrofit the

EMD aircraft to a production configuration for dedicated initial operational test and evaluation, which would have been accomplished by the PRTVs.

An additional $500M is required for EMD to fund for Out-of-Production parts associated with these aircraft due to the lack of an active production program.

Impact: With the EMD stretchout and above considerations the total cost impact to the EMD program is $1.2B, which breaks Congressionally mandated EMD cost cap of $18.8B.

Delay to Initial Operating Capability (IOC)—F–22 IOC is currently scheduled for December 2005, the change to the production profile would delay IOC (stand up of the first F–22 squadron) to Dec 2007.

Delay in IOC would force the Air Force to execute an F–15 Service Life Extension Program (SLEP) on one Fighter Wing (72 aircraft).

Mr. LEWIS of California. Mr. Chairman, I am pleased to yield 1 minute to my colleague, the gentleman from Utah (Mr. HANSEN).

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, I think the question today is, what kind of Air Force do we want? If it is not the Air Force today, it is an Air Force 10, 20, 30, 40 years from now. That is what we are looking at.

Our choice in this thing is tomorrow's Air Force needs to be stealthy, needs to be survivable, supportable, deployable, and lethal; and the future of that rests with the F–22.

It is kind of hard, and I think there is nothing we can do but to hurt retention and morale by giving these kids a plane that is old. When they are flying 90-year-old bombers and 80-year-old tankers and 30-year-old fighters, that is the worst thing we can do for retention and morale of people.

We kind of have to laugh in a way, Mr. Chairman, because it was just a little while ago we were fighting this argument with the B–2 bomber. Do my colleagues remember that one? It cannot fly. The technology is wrong. It cannot fly in the rain. It will not do it.

And then this last thing in Kosovo, what happened? It did it all. And then the same people who vetoed the bill, the same people who opposed it are now standing there with air crews with the B–2 behind them. Politicians are rushing to have their pictures taken with the B–2 that could not fly and could not work and made the same arguments.

I think it is reasonable to go with the F–22. That is the future of the Air Force. Let us support that.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR) my colleague, for purposes of a colloquy.

Mr. TAYLOR of Mississippi. Mr. Chairman, I wish to engage in a colloquy with the gentleman from Pennsylvania (Mr. MURTHA).

Mr. Chairman, as the gentleman well knows, the armed services have recently conducted a survey for the purpose of identifying which ships should be used as a centerpiece of the 12 Marine amphibious assault groups.

A study was done comparing building an additional LHD as opposed to taking an LHD–8 and schlepping it. The study came back very much in favor of taking an LHD and putting turbines in the next version of it as opposed to schlepping it.

I notice there were no funds in this bill for that, although the Senate has funded this program.

My question to my colleague and I seek his assurance that, at the end of the day, when this bill comes back from conference committee, will there be funds for LHD–8 in the bill.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Mississippi. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I can assure the gentleman that all of us in the subcommittee discussed this at great length. We know the importance to our national security. We know the importance to the Marine Corps. We will make every effort to bring back an LHD–8.

I know the gentleman has been pushing this for a long time. And the same here as the F–22, it is a matter of money. We hope we can work it out, and we expect to have more money down the road.

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

(Mr. BARR of Georgia asked and was given permission to revise and extend his remarks.)

Mr. Chairman, that is one beautiful aircraft. But do not be deceived. That is one mean SOB when it comes to air superiority.

That, my colleagues, is the only way the United States of America can maintain what has always been an essential pillar of our national security for so long as American men and women have been flying, and that is the F–22.

But do not take my word for it. Take the Washington Post's word for it. We heard earlier, as referenced by the gentleman from Florida, do not take my word for it. Take the word of seven, count them, seven former Secretaries of Defense: Bill Perry, Cap Weinberger, Frank Carlucci, Don Rumsfeld, Dick Cheney, Harold Brown, and James Schlesinger.

All of these men, who have served their country under administrations on both sides of the aisle, have told us and told us very clearly, America must have the F–22 if it is to maintain air superiority.

Over 200 years ago, a gentleman universally recognized as one of the great military generals of all time, George Washington, said, ''To be prepared for war is one of the most effectual means of preserving peace.''

Do not just take his word for it. Go back 2,000 years before that to Mr. Sun Tzu who said, ''Victorious warriors win first and then go to war. It is defeated warriors who go to war first and then seek to win.''

The way we prepare for war is to win war first and then go to war. The way we do that is what we did in the Gulf War, what we did in Kosovo; and that is to use air superiority.

Before our men and women went to war in the air in Desert Storm or in Kosovo, they had already won. They had already won because the F–15 and the F–18 were superior to anything that the enemy had.

That will prevail today. It will prevail tomorrow. But 5 years from now, it will not prevail. There are fighters being developed by a consortium of three countries that can defeat the F–15. The only way we can demand and contain air superiority in the future is to fund the F–22. We need to do that.

I appreciate the gentleman from California hearing these arguments out. I appreciate the support of Members on both sides of the aisle to fund the F–22.

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Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume, not by way of responding to the comments of the gentleman from Georgia or to others who have taken a position today in support of the F–22, but rather to make certain that all of our colleagues understand exactly how we got to this point preceding this debate.

Earlier on in the year when I suddenly found myself with this chairmanship, my friend, the gentleman from Pennsylvania (Mr. MURTHA) said to me, ''Jerry, you're going to shortly realize there's only so much money to go around, and it's our job to make the tough choices.'' In that connection as we looked over the whole array of requirements and needs of our national defense, it became very clear, in competition with other programs that are a Federal responsibility, that indeed this is a very challenging responsibility.

Among those items that came before me in the early days of homework regarding this bill was the fact that we were on a line that would take us to three production lines of tactical fighter needs for the future. That involved the development further of the F–18E/F, the F–22, and the Joint Strike Fighter in the near future. It is the F–22 which we have discussed rather extensively today. If we follow through on the development of all three of those lines, we will eventually commit somewhere near $340 billion of expenditure. If we can, after reexamination, reduce that by just one aircraft line, we will save as much as $60 billion and at the end we will still have the finest tactical fighter force in the entire world. That is our entire objective.

I can assure my colleagues that we are going to do everything necessary to ensure that no nation will be able to threaten us in terms of tactical air in the future.

Having said that, Mr. Chairman, this has been a very difficult process. I want my colleagues to know how much I appreciate their serious cooperation regarding this amendment. Between now and the time that we go to conference with the Senate, we will be carefully evaluating that request for $3 billion for the tactical fighters in the future. Presently the bill provides for $1.2 billion for research and development. This funding will give us all the flexibility we need to have adequate discussions with the Senate. Between now and then, we are expecting serious responses from the Air Force and others as to how we can develop these programs and make sense out of our conflicting budgetary problems.

And so with that, Mr. Chairman, I yield back the balance of my time, with the exception of yielding a minute to the gentleman from Georgia for purposes of a motion to withdraw.

Mr. SMITH of Washington. Mr. Chairman, air power is critical for how we fight wars and respond to international incidents. Americans place an immeasurable value on life, and in war. Mr. Speaker, air dominance saves lives. Sweeping the skies clean of enemy air craft is essential for protecting our most vulnerable troops on the ground, and the pilots who fly follow-on strike missions. Air dominance cannot be guaranteed with aircraft on par with the enemy—it can only be achieved with superior capabilities. Mr. Speaker, the F–22 is the American guarantor of air supremacy.

In scenarios where the United States need to respond to a rogue nation or terrorist group with a punitive strike, advanced fighters can deliver the message with precision. This is an important factor in lowering collateral damage and limiting the number of allied lives put at risk. As in Kosovo and the Gulf War, I believe air power will continue to be the primary player in how the United States responds to conflict.

Mr. Chairman, we cannot cut funding for F–22 procurement. Tactical fighters take 15 years to research, develop, and mature. If we want to maintain our air dominance in the future, say in the year 2010, we need to develop and test these air dominance fighters today. Currently, no other tactical air program combines the breakthrough technologies of integrated avionics, supercruise, thrust vectoring engines, and stealth into one aircraft. With the world-wide proliferation of SAMs, our pilots must take advantage of the F–22's supercruise, speed and stealth to complete their mission and return home safely. By investing in leap-ahead technologies, we can save the lives of our future war fighters; we cannot invest in yesteryear technology.

The F–22 is our top fighter program, no near term or long term substitute exists. Mr. Chairman, I urge my colleagues to support full funding of the F–22 program.

Mr. STENHOLM. Mr. Chairman, I rise today to express my support for the F–22—the key to maintaining air dominance in the 21st Century.

The F–22 is the first new U.S. air superiority fighter to be built in more than thirty years, and it is scheduled to join the Air Force inventory at a crucial time. Despite the ongoing upgrade of existing U.S. fighter aircraft, our tactical aircraft are facing increasingly sophisticated foreign fighters and more lethal air defense missiles.

The F–22 is crucial to maintaining air superiority. History has shown us that air dominance is crucial to controlling the battlefield; it allows our forces and other aircraft to operate against our enemies with impunity. Proven success in attaining air superiority is the reason that no American soldier has died from enemy air attack in over forty years.

We must continue development and acquisition of the F–22. Pausing this process is equal to cancellation of the program. Development of the aircraft system is on-track, and modern technology means that we can have a high-level of confidence in flight-tests, computer simulation, and other testing.

I urge my colleagues to join me in supporting funding for the F–22. It is important to our defense industry but most importantly it is crucial to the men and women who defend our nation.

Mr. BARR of Georgia. Mr. Chairman, if allowed to stand, the decision to cut $1.8 billion in funding for the production of six F–22s would be a grave mistake. This cut in the F–22 program will adversely impact the security of this nation.

Defense experts agree the F–22 performs a vital role in maintaining air superiority in future conflicts. As witnessed in the recent strikes in Kosovo and the Persian Gulf, air superiority provides an essential element in the protection of our nation and our interests abroad. Without the complete development of stealth technology and advanced avionics features, we put our soldiers at risk.

The F–22 is America's next generation air superiority fighter, and has been developed to counter any future threats posed by foreign advanced surface-to-air missiles (SAMs). As we witnessed over the skies of Iraq, SAMs and other advanced fire-controlled radars pose a real threat to U.S. combat air fighters. The only real defense against those systems is the F–22 program, which has the ability to operate against multiple targets and use advanced avionics. As foreign countries continue to develop and purchase increasingly advanced air defense systems, our nation must continue advancement of our own fighters to preserve future air superiority.

The goal of the F–22 program is to maintain the dominance of aerodynamic stealth performance and will enable the Department of Defense to continue its air superiority. Creating a ''pause'' in the program may in all likelihood, kill future production of this magnificent plan. Once the production is stopped, contracts will be broken as will the congressional cost caps. Since the early 1980s, Congress has continued to appropriate the necessary funding for the research and development of this plane, which has resulted in the investment of $19 billion in taxpayer funds and 13 years of development. As the F–22 program continues to exceed every technical and programmatic challenge, the U.S. Air Force continued to give its strong, explicit support for the projects continuation.

From the start, the F–22 has been designed for minimal maintenance and will provide a reliable aircraft which is far superior than any other aircraft today. Compared to the F–15, which requires an average of 23 maintenance personnel, the F–22 will require a mere 15 personnel, which represents a substantial cost savings when calculated over the 20-to-30 year life of an aircraft. Through the use of advanced technology, several benefits will be gained by developing a cost efficient design strategy, creating substantial savings and improving operational flexibility throughout the life of this program.

Limiting this nation's defense in the 21st century to only one new fighter—the smaller, sub-sonic tactical Joint Strike Fighter, or JSF—would put us in serious risk and force us to waste vital defense monies updating current aircraft (F–15 and F–18) that will be outdated and outperformed by foreign produced aircraft as soon as they are upgraded. While some suggest we rely on the future development of the Joint Strike Fighter (JSF) program, the JSF production is expected to begin around 2005 and operational service to begin around 2010. In March 1999, the Congressional Budget Office estimated the total acquisition cost of these JSF aircraft over a 27-year period at some $223 billion. The estimates of the JSF's ultimate price may cost more than the F–22 when the program finally reaches it programmatic maturity. The alternative JSF has been developed as a joint-service fighter/attack plane to complement—not replace the F–22. The JSF was never envisaged to take the place of the F–22 and it cannot be modified to do so.

As other foreign countries begin to develop and acquire combat aircraft equal to our current fighters, the F–22 program is the best hope—the only hope—to beat the encroachment of advanced foreign arsenals. Countries such as Russia are developing advanced fighters for their foreign customers such as Syria, China and India. The F–15 began service over 25 years ago, and when the F–22 becomes operational in FY06, the F–15 will average 26 years of service. The F–15's flight characteristics are well known, making it even more susceptible to the next generation of foreign missiles and fighters.

The history of warfare is clear—whoever owns the sky and space above it will own the future. The F–22 is the only opportunity our nation has to ensure America's military continues to control the sky for this century and the 21st century. There is no other tactical combat aircraft in service today that has similar capacity to successfully operate amid our growing future foreign threats.

I urge the House to re-consider supporting such a defense initiative which will adversely affect future conflict capability and would put our nation's air superiority in jeopardy. We must continue to guarantee air superiority through the continued support and funding of the F–22 program. There is no other American aircraft that can offer the insurance and protection our soldiers and their families desperately need.

Mr. BARR of Georgia. Mr. Chairman, I ask unanimous consent to withdraw amendment No. 4.

The CHAIRMAN. Pursuant to the order of the House, the amendment is withdrawn.

AMENDMENT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS of California:

On page 8, line 20, after the word ''facilities'', add the following proviso:

''*: Provided,* That of the funds made available under this heading, $7,000,000 shall only be available to the Secretary of the Army, acting through the Chief of Engineers, only for demolition and removal of facilities, buildings, and structures used at MOTBY (a Military Traffic Management Command facility)''.

On page 9, line 7, after the word ''Fund'' add the following proviso:

''*: Provided,* That of the funds available under this heading, $300,000 shall be available only for site design and planning, and materials and equipment acquisition for the Maritime Fire Training Center at MERTS''.

On page 10, line 6, delete ''$11,401,733,000'' and insert in lieu thereof ''$11,402,733,000''.

On page 11, line 25, after ''tractors'' at the end of line 25, add the following proviso:

''*: Provided further,* That of the amounts provided under this heading, $6,300,000 is available only for the Department of Defense STARBASE program''.

On page 32, line 7, delete ''$6,964,227,000'' and insert in lieu thereof ''$6,958,227,000''.

On page 32, line 8, after ''2002'' insert the following new proviso:

''*: Provided,* That of the amounts provided under this heading, $82,363,000 shall be available only for procurement of the 60K A/C Loader program: *Provided further,* That of the amounts provided under this heading, $179,339,000 is available only for the Base Information Infrastructure program''.

On page 36, line 10, delete ''$8,930,149,000'' and insert in lieu thereof ''$8,935,149,000''.

On page 37, line 12, after the word ''proviso'', insert the following proviso:

''*: Provided further,* That of the amounts provided under this heading, $5,000,000 is only for a technology insertion program, to be carried out by a federally funded research and development center and other units it affiliates with, to demonstrate the cost savings and efficiency benefits of applying commercially available software and information technology to the manufacturing lines of small defense firms''.

On page 83, line 23, section 8071, insert after ''a State'' the following:

''(as defined in section 381(d) of title 10, United States Code).''

At the end of the bill, insert after the last section (preceding the short title) the following new section.

''SEC. . None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a centerfire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)''.''

Mr. LEWIS of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I offer a manager's amendment on behalf of myself and the gentleman from Pennsylvania (Mr. MURTHA). As I mentioned, this has been cleared on both sides, and I thank the gentleman from Pennsylvania for his cooperation.

Mr. MURTHA. We have no objection to the amendment.

Mr. LEWIS of California. Mr. Chairman, I move the amendment be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LEWIS).

The amendment was agreed to.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 138, line 23, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the remainder of the bill is as follows:

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds; $90,344,000: *Provided,* That during fiscal year 2000, funds in the Defense Working Capital Funds may be used for the purchase of not to exceed 295 passenger motor vehicles for replacement only for the Defense Security Service.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744); $729,700,000, to remain available until expended: *Provided,* That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further,* That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further,* That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; $11,078,417,000, of which $10,471,447,000 shall be for Operation and maintenance, of which not to exceed 2 per centum shall remain available until September 30, 2001; of which $356,970,000, to remain available for obligation until September 30, 2002, shall be for Procurement; and of which $250,000,000, to remain available for obligation until September 30, 2000, shall be for Research, development, test and evaluation: *Provided,* That of the amounts made available under this heading for Research, development, test and evaluation, $175,000,000 shall be made available only for the Army peer-reviewed breast cancer research program and $75,000,000 shall be made available only for the Army peer-reviewed prostate cancer research program.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile; $781,000,000, of which $492,000,000 shall be for Operation and maintenance, $116,000,000 shall be for Procurement to remain available until September 30, 2002, and $173,000,000 shall be for Research, development, test and evaluation to remain available until September 30, 2001*: Provided,* That notwithstanding 10 U.S.C. 2215, of the funds appropriated under this heading, $75,303,000 shall be transferred to the Federal Emergency Management Agency ''Defense Chemical Stockpile Emergency Preparedness Program'' account by October 31, 1999, to provide off-post emergency response and preparedness assistance to the communities surrounding the eight continental United States chemical agent storage and disposal sites; of which $32,209,000 shall be derived from Operation and maintenance, and $43,094,000 shall be derived from Procurement.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; $883,700,000: *Provided,* That of the funds appropriated under this heading, $42,800,000 is hereby transferred to appropriations available for ''Military Construction, Air Force'' for fiscal year 2000, and the transferred funds shall be available for construction at forward operating locations in the area of responsibility of the United States Southern Command: *Provided further,* That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further,* That the transfer authority provided under this heading is in addition to any transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; $140,844,000, of which $138,744,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $2,100,000 to remain available until September 30, 2002, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; $209,100,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account; $144,415,000, of which $34,923,000 for the Advanced Research and Development Committee shall remain available until September 30, 2001: *Provided*, That of the funds appropriated under this heading, $27,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, $1,500,000 for Procurement shall remain available until September 30, 2002, and $1,000,000 for Research, development, test and evaluation shall remain available until September 30, 2001.

PAYMENT TO KAHO'OLAWE ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION FUND

For payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law; $15,000,000, to remain available until expended.

NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102–183, $8,000,000, to be derived from the National Security Education Trust Fund, to remain available until expended.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That the Department of the Army, Department of the Air Force, Defense-Wide Agencies, and the Office of the Secretary of Defense may not reprogram funds within any appropriation in title III or IV of this or prior annual Department of Defense Acts under the authority of the Department of Defense Financial Management Regulation without prior written approval from the Appropriations Committees of Congress.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8008. None of the funds provided in this or any other Act hereafter shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year; or (3) a contract for any systems or component thereof if the value of the multiyear contract would exceed $100,000,000: *Provided*, That the limitations in the preceding provisos of this section do not apply to multiyear contracts awarded prior to the date of enactment of this Act or to multiyear contracts for which authority is specifically provided in subsequent defense authorization acts and appropriation acts: *Provided further*, That no funds in this or any other Act may be used to initiate, expand, or extend a multiyear contract unless the Secretary of Defense has specifically notified the congressional defense committees in writing thirty days in advance of contract award that such a contract is in the national interest: *Provided further*, That no multiyear contract may be terminated without ten day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 2000, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2001 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2001 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2001.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8011. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the 50 United States, its territories, and the District of Columbia, 125,000 civilian workyears: *Provided*, That workyears shall be applied as defined in the Federal Personnel Manual: *Provided further*, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8012. None of the funds made available by this Act shall be used in any way, directly

or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8013. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 3015(c) of title 38, United States Code, for any member of the armed services who, on or after the date of the enactment of this Act, enlists in the armed services for a period of active duty of less than three years, nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided*, That these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8014. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section and subsections (a), (b), and (c) of 10 U.S.C. 2461 shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 per centum Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8018. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8019. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by executive agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided*, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further*, That the Department of Defense's budget submission for fiscal year 2001 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further*, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further*, That each such executive agreement with a NATO member host nation shall be reported to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate 30 days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8020. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

SEC. 8021. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 per centum of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8022. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8023. A member of a reserve component whose unit or whose residence is located in a State which is not contiguous with another State is authorized to travel in a space required status on aircraft of the Armed Forces between home and place of inactive duty training, or place of duty in lieu of unit training assembly, when there is no road or railroad transportation (or combination of road and railroad transportation between those locations): *Provided*, That a member traveling in that status on a military aircraft pursuant to the authority provided in this section is not authorized to receive travel, transportation, or per diem allowances in connection with that travel.

SEC. 8024. (a) In addition to the funds provided elsewhere in this Act, $8,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That contractors participating in the test program established by section 854 of Public Law 101–189 (15 U.S.C. 637 note) shall be eligible for the program established by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544).

SEC. 8025. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5, United States Code, or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code, or the National Guard, as described in section 101 of title 32, United States Code;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under sections 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable; or

(B) full-time military service for his or her State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5, United States Code.

SEC. 8026. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 48 months after initiation of such study for a multi-function activity.

SEC. 8027. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8028. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

Sec. 8029. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8030. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase ''qualified nonprofit agency for the blind or other severely handicapped'' means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46–48).

SEC. 8031. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8032. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8033. Of the funds made available in this Act, not less than $26,588,000 shall be available for the Civil Air Patrol Corporation, of which $22,888,000 shall be available for Civil Air Patrol Corporation operation and maintenance to support readiness activities which includes $1,418,000 for the Civil Air Patrol counterdrug program: *Provided*, That funds identified for ''Civil Air Patrol'' under this section are intended for and shall be for the exclusive use of the Civil Air Patrol Corporation and not for the Air Force or any unit thereof.

SEC. 8034. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) LIMITATION ON COMPENSATION—FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER (FFRDC).—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2000 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2000, not more than 6,206 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,105 staff years may be funded for the defense studies and analysis FFRDCs.

(e) Within 60 days after the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report presenting the specific amounts of staff years of technical effort to be allocated by the department for each defense FFRDC during fiscal year 2000: *Provided*, That, after the submission of the report required by this subsection, the department may not reallocate more than 5 per centum of an FFRDC's staff years among other defense FFRDCs until 30 days after a detailed justification for any such reallocation is submitted to the congressional defense committees.

(f) The Secretary of Defense shall, with the submission of the department's fiscal year 2001 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

(g) Notwithstanding any other provision of law, none of the reductions for advisory and assistance services contained in this Act shall be applied to defense FFRDCs.

SEC. 8035. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8036. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8037. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8038. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2000. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8039. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8040. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2)(A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8041. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided*, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further*, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8042. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense agencies.

SEC. 8043. Notwithstanding any other provision of law, funds available for ''Drug Interdiction and Counter-Drug Activities, Defense'' may be obligated for the Young Marines program.

SEC. 8044. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8045. Of the funds appropriated or otherwise made available by this Act, not more than $119,200,000 shall be available for payment of the operating costs of NATO Headquarters: *Provided*, That the Secretary of Defense may waive this section for Department of Defense support provided to NATO forces in and around the former Yugoslavia.

SEC. 8046. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $100,000.

SEC. 8047. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2001 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2001 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2001 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8048. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2001: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended.

SEC. 8049. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8050. Of the funds appropriated by the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $8,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8051. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986, and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8052. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8053. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8054. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8055. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8056. Funds appropriated by this Act and in Public Law 105–277, or made available by the transfer of funds in this Act and in Public Law 105–277 for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2000 until the enactment of the Intelligence Authorization Act for Fiscal Year 2000.

SEC. 8057. Notwithstanding section 303 of Public Law 96–487 or any other provision of law, the Secretary of the Navy is authorized to lease real and personal property at Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C. 2667(f), for commercial, industrial or other purposes: *Provided*, That notwithstanding any other provision of law, the Secretary of the Navy may remove hazardous materials from facilities, buildings, and structures at Adak, Alaska, and may demolish or otherwise dispose of such facilities, buildings, and structures: *Provided further*, That notwithstanding any other provision of law, not more than $4,650,000 of the funds provided under the heading ''Operation and Maintenance, Army'' in title II of this Act shall be available to the Secretary of the Army, acting through the Chief of Engineers, only for demolition and removal of facilities, buildings, and structures formerly used as a District Headquarters Office by the Corps of Engineers (Northwest Division, CENWW, Washington State), as described in the study conducted regarding the headquarters pursuant to the Energy and Water Development Appropriations Act, 1992 (Public Law 102–104; 105 Stat. 511).

(RESCISSIONS)

SEC. 8058. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded as of the date of the enactment of this Act, or October 1, 1999, whichever is later, from the following accounts and programs in the specified amounts:

''Other Procurement, Navy, 1998/2000'', $6,384,000;

''Aircraft Procurement, Air Force, 1998/2000'', $26,100,000;

''Missile Procurement, Air Force, 1998/2000'', $100,000,000;

''Other Procurement, Army, 1999/2001'', $20,700,000;

''Aircraft Procurement, Navy, 1999/2001'', $62,500,000;

''Weapons Procurement, Navy, 1999/2001'', $8,000,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1999/2003'':

New Attack Submarine, $35,000,000;

CVN–69, $11,400,000;

''Other Procurement, Navy, 1999/2001'', $16,353,000;

''Aircraft Procurement, Air Force, 1999/2001'', $81,229,000;

''Missile Procurement, Air Force, 1999/2001'', $155,500,000;

''Research, Development, Test and Evaluation, Army, 1999/2000'', $16,400,000;

''Research, Development, Test and Evaluation, Air Force, 1999/2000'', $49,921,000; and

''Research, Development, Test and Evaluation, Defense-Wide, 1999/2000'', $23,500,000.

SEC. 8059. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8060. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8061. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: *Provided*, That during the performance of such duty, the members of the National Guard shall be under State command and control: *Provided further*, That such duty shall be treated as full-time National Guard duty for purposes of sections 12602(a)(2) and (b)(2) of title 10, United States Code.

SEC. 8062. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Foreign Intelligence Program (NFIP), the Joint Military Intelligence Program (JMIP), and the Tactical Intelligence and Related Activities (TIARA) aggregate: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8063. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 1999 level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8064. (a) None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning, design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,222,000,000.

(b) The Secretary shall, in conjunction with the Pentagon Renovation, design and construct secure secretarial offices and support facilities and security-related changes to the subway entrance at the Pentagon Reservation.

SEC. 8065. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(TRANSFER OF FUNDS)

SEC. 8066. Appropriations available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8067. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8068. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa: *Provided*, That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8069. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8070. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8071. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: *Provided*, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8072. During the current fiscal year, the Army shall use the former George Air Force Base as the airhead for the National Training Center at Fort Irwin: *Provided*, That none of the funds in this Act shall be obligated or expended to transport Army personnel into Edwards Air Force Base for training rotations at the National Training Center.

SEC. 8073. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8074. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8075. To the extent authorized by subchapter VI of chapter 148 of title 10, United States Code, the Secretary of Defense may issue loan guarantees in support of United States defense exports not otherwise provided for: *Provided*, That the total contingent liability of the United States for guarantees issued under the authority of this section may not exceed $15,000,000,000: *Provided further*, That the exposure fees charged and collected by the Secretary for each guarantee, shall be paid by the country involved and shall not be financed as part of a loan guaranteed by the United States: *Provided further*, That the Secretary shall provide quarterly reports to the Committees on Appropriations, Armed Services and Foreign Relations of the Senate and the Committees on Appropriations, Armed Services and International Relations in the House of Representatives on the implementation of this program: *Provided further*, That amounts charged for administrative fees and deposited to the special account provided for under section 2540c(d) of title 10, shall be available for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under subchapter VI of chapter 148 of title 10, United States Code.

SEC. 8076. None of the funds available to the Department of Defense shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

SEC. 8077. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8078. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions or agents to the Johnston Atoll for the purpose of storing or demilitarizing such munitions or agents.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition or agent of the United States found in the World War II Pacific Theater of Operations.

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8079. None of the funds provided in title II of this Act for ''Former Soviet Union Threat Reduction'' may be obligated or expended to finance housing for any individual who was a member of the military forces of the Soviet Union or for any individual who is or was a member of the military forces of the Russian Federation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. During the current fiscal year, no more than $5,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8081. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8082. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

(TRANSFER OF FUNDS)

SEC. 8083. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: *Provided*, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: *Provided further*, That the amounts shall be transferred between the following appropriations in the amount specified:

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1988/2001'':

SSN–688 attack submarine program, $6,585,000;

CG–47 cruiser program, $12,100,000;

Aircraft carrier service life extension program, $202,000;

LHD–1 amphibious assault ship program, $2,311,000;

LSD–41 cargo variant ship program, $566,000;

T–AO fleet oiler program, $3,494,000;

AO conversion program, $133,000;

Craft, outfitting, and post delivery, $1,688,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/2001'':

DDG–51 destroyer program, $27,079,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1989/2000'':

DDG–51 destroyer program, $13,200,000;

Aircraft carrier service life extension program, $186,000;

LHD–1 amphibious assault ship program, $3,621,000;

LCAC landing craft, air cushioned program, $1,313,000;

T–AO fleet oiler program, $258,000;

AOE combat support ship program, $1,078,000;

AO conversion program, $881,000;

T–AGOS drug interdiction conversion, $407,000;

Outfitting and post delivery, $219,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

LPD–17 amphibious transport dock ship, $21,163,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1990/2002'':

SSN–688 attack submarine program, $5,606,000;

DDG–51 destroyer program, $6,000,000;

ENTERPRISE refueling/modernization program, $2,306,000;

LHD–1 amphibious assault ship program, $183,000;

LSD–41 dock landing ship cargo variant program, $501,000;

LCAC landing craft, air cushioned program, $345,000;

MCM mine countermeasures program, $1,369,000;

Moored training ship demonstration program, $1,906,000;

Oceanographic ship program, $1,296,000;

AOE combat support ship program, $4,086,000;

AO conversion program, $143,000;

Craft, outfitting, post delivery, and ship special support equipment, $1,209,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1990/2002'':

T–AGOS surveillance ship program, $5,000,000;

Coast Guard icebreaker program, $8,153,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2002'':

LPD–17 amphibious transport dock ship, $7,192,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2002'':

CVN refuelings, $4,605,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1991/2001'':

SSN–21(AP) attack submarine program, $1,614,000;

LHD–1 amphibious assault ship program, $5,647,000;

LSD–41 dock landing ship cargo variant program, $1,389,000;

LCAC landing craft, air cushioned program, $330,000;

AOE combat support ship program, $1,435,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2001'':

CVN refuelings, $10,415,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1992/2001'':

SSN–21 attack submarine program, $11,983,000;

Craft, outfitting, post delivery, and DBOF transfer, $836,000;

Escalation, $5,378,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2001'':

CVN refuelings, $18,197,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1993/2002'':

Carrier replacement program (AP), $30,332,000;

LSD–41 cargo variant ship program, $676,000;

AOE combat support ship program, $2,066,000;

Craft, outfitting, post delivery, and first destination transportation, and inflation adjustments, $2,127,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2002'':

CVN refuelings, $29,844,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1999/2002'':

Craft, outfitting, post delivery, conversions, and first destination transportation, $5,357,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1994/2003'':

LHD–1 amphibious assault ship program, $23,900,000;

Oceanographic ship program, $9,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1994/2003'':

DDG–51 destroyer program, $18,349,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/1999'':

DDG–51 destroyer program, $5,383,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

LPD–17 amphibious transport dock ship, $168,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1999/2003'':

Craft, outfitting, post delivery, conversions, and first destination transportation, $9,000;

From:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

SSN–21 attack submarine program, $10,100,000;

LHD–1 amphibious assault ship program, $7,100,000;

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2000'':

DDG–51 destroyer program, $3,723,000;

LPD–17 amphibious transport dock ship, $13,477,000;

From:

Under the heading, ''National Defense Sealift Fund, 1996'':

Defense features, $30,000,000;

Under the heading, ''National Defense Sealift Fund, 1999'':

Research, development, test and evaluation, $8,000,000;

To:

Under the heading, ''National Defense Sealift Fund, 1997'':

Maritime pre-positioning force enhancement, $38,000,000.

SEC. 8084. The Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees by February 1, 2000, a detailed report identifying, by amount and by separate budget activity, activity group, subactivity group, line item, program element, program, project, subproject, and activity, any activity for which the fiscal year 2001 budget request was reduced because Congress appropriated funds above the President's budget request for that specific activity for fiscal year 2000.

SEC. 8085. Funds appropriated in title II of this Act and for the Defense Health Program in title VI of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided*, That for the purpose of this section, supervision and administration costs includes all in-house Government cost.

SEC. 8086. The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: *Provided*, That costs for which reimbursement is waived pursuant to this subsection shall be paid from appropriations available for the Asia-Pacific Center.

SEC. 8087. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8088. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8089. Notwithstanding 31 U.S.C. 3902, during the current fiscal year, interest penalties may be paid by the Department of Defense from funds financing the operation of the military department or defense agency with which the invoice or contract payment is associated.

SEC. 8090. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Foreign Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

(RESCISSIONS)

SEC. 8091. Of the funds provided in the Department of Defense Appropriations Act, 1999 (Public Law 105–262), $452,100,000, to reflect savings from revised economic assumptions, is hereby rescinded as of the date of enactment of this Act, or October 1, 1999, whichever is later, from the following accounts in the specified amounts:

''Aircraft Procurement, Army'', $8,000,000;

''Missile Procurement, Army'', $7,000,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army'', $9,000,000;

''Procurement of Ammunition, Army'', $6,000,000;

''Other Procurement, Army'', $19,000,000;

''Aircraft Procurement, Navy'', $44,000,000;

''Weapons Procurement, Navy'', $8,000,000;

''Procurement of Ammunition, Navy and Marine Corps'', $3,000,000;

''Shipbuilding and Conversion, Navy'', $37,000,000;

''Other Procurement, Navy'', $23,000,000;

''Procurement, Marine Corps'', $5,000,000;

''Aircraft Procurement, Air Force'', $46,000,000;

''Missile Procurement, Air Force'', $14,000,000;

''Procurement of Ammunition, Air Force'', $2,000,000;

''Other Procurement, Air Force'', $44,400,000;

''Procurement, Defense-Wide'', $5,200,000;

''Chemical Agents and Munitions Destruction, Army'', $5,000,000;

''Research, Development, Test and Evaluation, Army'', $20,000,000;

''Research, Development, Test and Evaluation, Navy'', $40,900,000;

''Research, Development, Test and Evaluation, Air Force'', $76,900,000; and

''Research, Development, Test and Evaluation, Defense-Wide'', $28,700,000:

Provided, That these reductions shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within each appropriation account.

SEC. 8092. The budget of the President for fiscal year 2001 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include budget activity groups (known as ''subactivities'') in all appropriations accounts provided in this Act, as may

be necessary, to separately identify all costs incurred by the Department of Defense to support the North Atlantic Treaty Organization and all Partnership For Peace programs and initiatives. The budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2001, and subsequent fiscal years, shall provide complete, detailed estimates for all such costs.

SEC. 8093. None of the funds made available in this Act may be used to approve or license the sale of the F–22 advanced tactical fighter to any foreign government.

SEC. 8094. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8095. Funds made available to the Civil Air Patrol in this Act under the heading ''Drug Interdiction and Counter-Drug Activities, Defense'' may be used for the Civil Air Patrol Corporation's counterdrug program, including its demand reduction program involving youth programs, as well as operational and training drug reconnaissance missions for Federal, State and local government agencies; for administrative costs, including the hiring of Civil Air Patrol Corporation employees; for travel and per diem expenses of Civil Air Patrol Corporation personnel in support of those missions; and for equipment needed for mission support or performance: *Provided*, That of these funds, $300,000 shall be made available to establish and operate a distance learning program: *Provided further*, That the Department of the Air Force should waive reimbursement from the Federal, State and local government agencies for the use of these funds.

SEC. 8096. Notwithstanding any other provision of law, the TRICARE managed care support contracts in effect, or in final stages of acquisition as of September 30, 1999, may be extended for two years: *Provided*, That any such extension may only take place if the Secretary of Defense determines that it is in the best interest of the Government: *Provided further*, That any contract extension shall be based on the price in the final best and final offer for the last year of the existing contract as adjusted for inflation and other factors mutually agreed to by the contractor and the Government: *Provided further*, That notwithstanding any other provision of law, all future TRICARE managed care support contracts replacing contracts in effect, or in the final stages of acquisition as of September 30, 1999, may include a base contract period for transition and up to seven one-year option periods.

SEC. 8097. None of the funds in this Act may be used to compensate an employee of the Department of Defense who initiates a new start program without notification to the Office of the Secretary of Defense, the Office of Management and Budget, and the congressional defense committees, as required by Department of Defense financial management regulations.

SEC. 8098. Section 8118 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2331; 10 U.S.C. 2241 note) is amended by striking ''convicted'' and inserting ''debarred by the Department of Defense based upon a conviction''.

SEC. 8099. In addition to the amounts provided elsewhere in this Act, notwithstanding any other provision of law, $5,000,000 is hereby appropriated to the Office of the Secretary of Defense, and is available only for a grant to the Women in Military Service for America Memorial Foundation, Inc., only for costs associated with completion of the ''Women in Military Service For America'' memorial at Arlington National Cemetery.

TRAINING AND OTHER PROGRAMS

SEC. 8100. (a) PROHIBITION.—None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

SEC. 8101. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $171,000,000 to reflect savings from favorable foreign currency fluctuations, to be distributed as follows:

''Military Personnel, Army'', $19,100,000;

''Military Personnel, Navy'', $2,200,000;

''Military Personnel, Air Force'', $9,900,000;

''Operation and Maintenance, Army'', $80,700,000;

''Operation and Maintenance, Navy'', $13,700,000;

''Operation and Maintenance, Air Force,'' $26,900,000;

''Operation and Maintenance, Defense-Wide'', $8,700,000; and

''Defense Health Program'', $9,800,000.

SEC. 8102. Notwithstanding any other provision of law, the Secretary of Defense may retain all or a portion of the family housing at Fort Buchanan, Puerto Rico, as the Secretary deems necessary to meet military family housing needs arising out of the relocation of elements of the United States Army South to Fort Buchanan.

U.S. ARMY NATIONAL TRAINING CENTER ACCESS AND TRAINING ENHANCEMENTS

SEC. 8103. From within amounts made available in title II of this Act, under the heading ''Operation and Maintenance, Army'', and notwithstanding any other provision of law, $12,500,000 shall be available only for repairs and safety improvements to the segment of Fort Irwin Road which extends from Interstate 15 northeast toward the boundary of Fort Irwin, California and the originating intersection of Irwin Road: *Provided*, That these funds shall remain available until expended: *Provided further*, That the authorized scope of work includes, but is not limited to, environmental documentation and mitigation, engineering and design, improving safety, resurfacing, widening lanes, and replacing signs and pavement markings: *Provided further*, That these funds may be used for advances to the Federal Highway Administration, Department of Transportation, for the authorized scope of work.

SEC. 8104. Funds appropriated to the Department of the Navy in title II of this Act may be available to replace lost and canceled Treasury checks issued to Trans World Airlines in the total amount of $255,333.24 for which timely claims were filed and for which detailed supporting records no longer exist.

SEC. 8105. Notwithstanding any other provision of law, section 112 of Public Law 105–261 shall apply only to phase III of the Army's second source acquisition strategy for medium tactical vehicles.

SEC. 8106. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the ADC(X) class of ships unless the main propulsion diesel engines are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8107. From within amounts made available in title II of this Act under the heading ''Operation and Maintenance, Defense-Wide'', and notwithstanding any other provision of law, $2,500,000 shall be available only for a grant for ''America's Promise—The Alliance for Youth, Inc.'', only to support, on a dollar-for-dollar matching basis with non-departmental funds, efforts to mobilize individuals, groups and organizations to build and strengthen the character and competence of the Nation's youth.

SEC. 8108. Of the funds made available in this Act, not less than $47,100,000 shall be available to maintain an attrition reserve force of 23 B–52 aircraft, of which $3,000,000 shall be available from ''Military Personnel, Air Force'', $34,500,000 shall be available from ''Operation and Maintenance, Air Force'', and $9,600,000 shall be available from ''Aircraft Procurement, Air Force'': *Provided*, That the Secretary of the Air Force shall maintain a total force of 94 B–52 aircraft, including 23 attrition reserve aircraft, during fiscal year 2000: *Provided further*, That the Secretary of Defense shall include in the Air Force budget request for fiscal year 2001 amounts sufficient to maintain a B–52 force totaling 94 aircraft.

SEC. 8109. Notwithstanding any other provision in this Act, the total amount appropriated in title II is hereby reduced by $100,000,000 to reflect savings resulting from reviews of Department of Defense missions and functions conducted pursuant to Office of Management and Budget Circular A–76, to be distributed as follows:

''Operation and Maintenance, Army'', $34,300,000;

''Operation and Maintenance, Navy'', $22,800,000;

''Operation and Maintenance, Marine Corps'', $1,400,000; and

''Operation and Maintenance, Air Force'', $41,500,000:

Provided, That none of the funds appropriated or otherwise made available by this Act may be obligated or expended for the purpose of contracting out functions directly related to the award of Department of Defense contracts, oversight of contractors with the Department of Defense, or the payment of such contractors including, but not limited to: contracting technical officers, contact administration officers, accounting and finance officers, and budget officers.

SEC. 8110. (a) REPORT ON OMB CIRCULAR A–76 REVIEWS OF WORK PERFORMED BY DOD EMPLOYEES.—The Secretary of Defense shall submit a report not later than 90 days after the enactment of this Act which lists all instances since 1995 in which missions or functions of the Department of Defense have been reviewed by the Department of Defense pursuant to OMB Circular A–76. The report shall list the disposition of each such review and indicate whether the review resulted in the performance of such missions or functions by Department of Defense civilian and military personnel, or whether such reviews resulted in performance by contractors. The report shall include a description of the types of missions or functions, the locations where the missions or functions are performed, the name of the contractor performing the work (if applicable), the cost to perform the missions or functions at the time the review was conducted, and the current cost to perform the missions or functions.

(b) REPORT ON OMB CIRCULAR A–76 REVIEWS OF WORK PERFORMED BY DOD CONTRACTORS.—The report shall also identify those instances in which work performed by a contractor has been converted to performance by civilian or military employees of the Department of Defense. For each instance of contracting in, the report shall include a description of the types of work, the locations where the work was performed, the name of the contractor that was performing the work, the cost of contractor performance at the time the work was contracted in, and the current cost of performance by civilian or military employees of the Department of Defense. In addition, the report shall include recommendations for maximizing the possibility of effective public-private competition for work that has been contracted out.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the Secretary submits the annual report, the Comptroller General shall submit to the House and Senate Committees on Appropriations the Comptroller General's views on whether the Department has complied with the requirements for the report.

SEC. 8111. The budget of the President for fiscal year 2001 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include separate budget justification documents for costs of United States armed forces' participation in contingency operations for the Military Personnel accounts, the Procurement accounts, and the Overseas Contingency Operations Transfer Fund: *Provided,* That these budget justification documents shall include a description of the funding requested for each anticipated contingency operation, for each military service, to include active duty and Guard and Reserve components, and for each appropriation account: *Provided further,* That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for ongoing contingency operations, and programmatic data including, but not limited to troop strength for each active duty and Guard and Reserve component, and estimates of the major weapons systems deployed in support of each contingency.

SEC. 8112. In addition to amounts otherwise appropriated or made available by this Act, $20,000,000 is appropriated to the Army National Guard and shall be available only for the purpose of the procurement or lease of fire-fighting aircraft or systems.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8113. In addition to amounts appropriated or otherwise made available in this Act, $50,000,000 is hereby appropriated, only to initiate and expand activities of the Department of Defense to prevent, prepare for, and respond to a terrorist attack in the United States involving weapons of mass destruction: *Provided,* That funds made available under this section shall be transferred to the following accounts:

''Reserve Personnel, Army'', $2,000,000;

''National Guard Personnel, Army'', $4,310,000;

''National Guard Personnel, Air Force'', $1,080,000;

''Operation and Maintenance, Army'', $12,110,000;

''Operation and Maintenance, Army National Guard'', $12,320,000;

''Other Procurement, Army'', $12,180,000; and

''Research, Development, Test and Evaluation, Army'', $6,000,000:

Provided further, That funds transferred pursuant to this section shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That of the funds transferred to ''Operation and Maintenance, Army National Guard'', not less than $3,000,000 shall be made available only to establish cost effective counter-terrorism training of first responders and concurrent testing of response apparatus and equipment at the Memorial Tunnel Facility as part of the WMD Study under the WMD Task Force: *Provided further,* That of the funds transferred to ''Operation and Maintenance, Army National Guard'', not less than $2,000,000 shall be made available only to support development of a structured undergraduate research program designed to produce graduates with specialized laboratory training and scientific skills required by military and industrial laboratories engaged in combating the threat of biological and chemical terrorism: *Provided further,* That of the funds transferred to ''Operation and Maintenance, Army National Guard'', not less than $3,500,000 shall be made available only to enhance distance learning technologies and develop related courseware to provide training for counter-terrorism and related concerns: *Provided further,* That of the funds transferred to ''Research, Development, Test and Evaluation, Army'', not less than $3,000,000 shall be made available only to continue development and presentation of advanced distributed learning consequence management response courses and conventional courses.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8114. In addition to the amounts made available elsewhere in this Act, $150,000,000, to remain available until expended, is hereby appropriated to ''Operation and Maintenance, Defense-Wide'', only for information assurance programs, to include protection from non-authorized access to information technology systems and computer systems, and for related infrastructure expenses: *Provided,* That funds under this heading may only be obligated after the approval of the Deputy Secretary of Defense: *Provided further,* That none of the funds provided by this provision may be obligated or transferred to other appropriations accounts until fifteen days after the Deputy Secretary of Defense has submitted to the House and Senate Committees on Appropriations a proposed funding allocation and a plan for the Department of Defense to achieve information superiority and information assurance: *Provided further,* That the Deputy Secretary of Defense shall provide written notification to the House and Senate Committees on Appropriations prior to the transfer of any amount in excess of $10,000,000 to a specific program or project: *Provided further,* That funds made available under this heading may be transferred only to operation and maintenance accounts, procurement accounts, the Defense Health Program appropriation, and research, development, test and evaluation accounts: *Provided further,* That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this section shall be in addition to the transfer authority provided to the Department of Defense in this Act or any other Act.

SEC. 8115. (a) The Secretary of Defense shall, along with submission of the fiscal year 2001 budget request for the Department of Defense, submit to the congressional defense committees a report, in both unclassified and classified versions, which contains an assessment of the advantages or disadvantages of deploying a ground-based National Missile Defense system at more than one site.

(b) This report shall include, but not be limited to, an assessment of the following issues:

(1) The ability of a single site, versus multiple sites, to counter the expected ballistic missile threat;

(2) The optimum basing locations for a single and multiple site National Missile Defense system;

(3) The survivability and redundancy of potential National Missile Defense systems under a single or multiple site architecture;

(4) The estimated costs (including development, construction and infrastructure, and procurement of equipment) associated with different site deployment options; and

(5) Other issues bearing on deploying a National Missile Defense system at one or more sites.

SEC. 8116. The Secretary of the Navy and the Secretary of the Air Force each shall submit a report to the congressional defense committees within 90 days of enactment of this Act in both classified and unclassified form which shall provide a detailed description of the dedicated aggressor squadrons used to conduct combat flight training for the Navy, Marine Corps and Air Force covering the period from fiscal year 1990 through the present. For each year of the specified time period, each report shall provide a detailed description of the following: the assets which comprise dedicated aggressor squadrons including both aircrews, and the types and models of aircraft assigned to these squadrons; the number of training sorties for all forms of combat flight training which require aggressor aircraft, and the number of sorties that the dedicated aggressor squadrons can generate to meet these requirements; the ratio of the total inventory of attack and fighter aircraft to the number of aircraft available for dedicated aggressor squadrons; a comparison of the performance characteristics of the aircraft assigned to dedicated aggressor squadrons compared to the performance characteristics of the aircraft they are intended to represent in training scenarios; an assessment of pilot proficiency by year from 1986 to the present;

Service recommendations to enhance aggressor squadron proficiency to include number of dedicated aircraft, equipment, facilities, and personnel; and a plan that proposes improvements in dissimilar aircraft air combat training.

SEC. 8117. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business: *Provided,* That the Department of Defense Office of the Inspector General shall provide a report to the House and Senate Committees on Appropriations not later than 60 days after the enactment of this Act which assesses the compliance of each of the military services with applicable appropriations law, Office of Management and Budget circulars, and Undersecretary of Defense (Comptroller) directives which govern funding for maintenance and repairs to flag officer quarters: *Provided further,* That this report shall include an assessment as to whether there have been violations of the Anti-Deficiency Act resulting from instances of improper funding of such maintenance and repair projects.

SEC. 8118. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any advanced concept technology demonstration project may only be obligated thirty days after a report, including a description of the project and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so: *Provided further,* That none of the funds appropriated under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in the Department of Defense Appropriations Act, 1999 (Public Law 105–262) are available for the Line of Sight Anti-Tank Program: *Provided further,* That of the funds appropriated under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in Public Law 105–262, $10,027,000 shall be available only for the Air Directed Surface to Air Missile.

SEC. 8119. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be used for concept development, pre-engineering management and development, engineering management and development, risk reduction, program office operations, travel of Department of Defense personnel, or contributions to international cooperative efforts for the Medium Extended Air Defense System, or successor systems: *Provided,* That none of the funds appropriated under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in the Department of Defense Appropriations Act, 1999 (Public Law 105–262) are available for the Medium Extended Air Defense System or successor systems.

SEC. 8120. None of the funds in this Act may be used to conduct a Defense Acquisition Board oversight review of a major weapon system acquisition unless the Commander-in-Chief of the United States Atlantic Command is a fully participating member of the Board which is conducting the review: *Provided,* That none of the funds in this Act may be used for the Defense Acquisition Board to approve a major weapon system acquisition to proceed into a subsequent phase of development or production unless the Commander-in-Chief of the United States Atlantic Command certifies to the congressional defense committees that the acquisition fully meets joint service interoperability requirements as determined by the theater Commanders-in-Chief: *Provided further,* That no additional funds or personnel beyond those contained in the fiscal year 2000 President's budget for ongoing United States Atlantic Command activities are available to support participation by the Commander-in-Chief of the United States Atlantic Command in Defense Acquisition Board weapon system reviews.

SEC. 8121. Of the funds appropriated in title II of this Act under the heading ''Operation and Maintenance, Army'', $250,000 shall be available only for a grant to the Nebraska Game and Parks Commission for the purpose of locating, identifying the boundaries of, acquiring, preserving, and memorializing the cemetery site that is located in close proximity to Fort Atkinson, Nebraska. The Secretary of the Army shall require as a condition of such grant that the Nebraska Game and Parks Commission, in carrying out the purposes of which the grant is made, work in conjunction with the Nebraska State Historical Society. The grant under this section shall be made without regard to section 1301 of title 31, United States Code, or any other provision of law.

SEC. 8122. Notwithstanding any other provision of law, for the purpose of establishing all Department of Defense policies governing the provision of care provided by and financed under the military health care system, the term ''custodial care'' shall be defined as care designed essentially to assist an individual in meeting the activities of daily living and which does not require the supervision of trained medical, nursing, paramedical or other specially trained individuals.

SEC. 8123. During the current fiscal year—

(1) refunds attributable to the use of the Government travel card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance accounts of the Department of Defense which are current when the refunds are received; and

(2) refunds attributable to the use of the Government Purchase Card by military personnel and civilian employees of the Department of Defense may be credited to accounts of the Department of Defense that are current when the refunds are received and that are available for the same purposes as the accounts originally charged.

SEC. 8124. During the current fiscal year and hereafter, any Federal grant of funds to an institution of higher education to be available solely for student financial assistance or related administrative costs may be used for the purpose for which the grant is made without regard to any provision to the contrary in section 514 of the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1997 (10 U.S.C. 503 note), or section 983 of title 10, United States Code.

INFORMATION TECHNOLOGY SYSTEMS

SEC. 8125. (a) REGISTERING WITH DOD CHIEF INFORMATION OFFICER.—After March 31, 2000, none of the funds appropriated in this Act may be used for an information technology system that is not registered with the Chief Information Officer of the Department of Defense. A system shall be considered to be registered with that officer upon the furnishing to that officer of notice of the system, together with such information concerning the system as the Secretary of Defense may prescribe.

(b) MILESTONE CERTIFICATIONS TO CONGRESSIONAL COMMITTEES.—An information technology system may not receive Milestone I approval, Milestone II approval, or Milestone III approval until the Chief Information Officer of the Department of Defense provides to the congressional defense committees written certification, with respect to that milestone, that the system is being developed in accordance with the sections 5122 and 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422, 1423). The Chief Information Officer shall include with any such certification a report providing, at a minimum, the funding baseline and milestone schedule for the system and confirmation that the following steps have been taken with respect to the system:

(1) Business process reengineering.

(2) An analysis of alternatives.

(3) An economic analysis that includes a calculation of the return on investment.

(4) Performance measures.

(5) Effective information security measure.

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

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term ''information technology'' has the meaning given that term in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401), but does not include a national security system.

(3) The term ''national security system'' has the meaning given that term in section 5142 of such Act (40 U.S.C. 1452).

SEC. 8126. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided,* That this restriction shall not apply if the Department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8127. (a) RECOVERY OF CERTAIN DOD ADMINISTRATIVE EXPENSES IN CONNECTION WITH FOREIGN MILITARY SALES PROGRAM.—Charges for administrative services calculated under section 21(e) of the Arms Export Control Act (22 U.S.C. 2761(e)) in connection with the sale of defense articles or defense services shall (notwithstanding paragraph (3) of section 43(b) of such Act (22 U.S.C. 2792(b)) include recovery of administrative expenses incurred by the Department of Defense during fiscal year 2000 that are attributable to (1) salaries of members of the Armed Forces, and (2) unfunded estimated costs of civilian retirement and other benefits.

(b) REIMBURSEMENT OF APPLICABLE MILITARY PERSONNEL ACCOUNTS.—During the current fiscal year, amounts in the Foreign Military Sales Trust Fund shall be available in an amount not to exceed $63,000,000 to reimburse the applicable military personnel accounts in title I of this Act for the value of administrative expenses referred in subsection (a)(1).

(c) REDUCTIONS TO REFLECT AMOUNTS EXPECTED TO BE RECOVERED.—(1) The amounts in title I of this Act are hereby reduced by an aggregate of $63,000,000 (such amount being the amount expected to be recovered by reason of subsection (a)(1)).

(2) The amounts in title II of this Act are hereby reduced by an aggregate of $31,000,000 (such amount being that amount expected to be recovered by reason of subsection (a)(2)).

SEC. 8128. (a) The Communications Act of 1934 is amended in section 337(b) (47 U.S.C. 337(b)), by deleting paragraph (2). Upon enactment of this provision, the FCC shall initiate the competitive bidding process in fiscal year 1999 and shall conduct the competitive bidding in a manner that ensures that all proceeds of such bidding are deposited in accordance with section 309(j)(8) of the Act not later than September 30, 2000. To expedite the assignment by competitive bidding of the frequencies identified in section 337(a)(2) of the Act, the rules governing such frequencies shall be effective immediately upon publication in the Federal Register, notwithstanding 5 U.S.C. 553(d), 801(a)(3), 804(2), and 806(a). Chapter 6 of such title, 15 U.S.C. 632, and 44 U.S.C. 3507 and 3512, shall not apply to the rules and competitive bidding procedures governing such frequencies. Notwithstanding section 309(b) of the Act, no application for an instrument of authorization for such frequencies shall be granted by the Commission earlier than 7 days following issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereto. Notwithstanding section 309(d)(1) of such Act, the Commission may specify a period (no less than 5 days following issuance of such public notice) for the filing of petitions to deny any application for an instrument of authorization for such frequencies.

(b)(1) Not later than 15 days after the date of the enactment of this Act, the Director of the Office of Management and Budget and the Federal Communications Commission shall each submit to the appropriate congressional committees a report which shall—

(A) set forth the anticipated schedule (including specific dates) for—

(i) preparing and conducting the competitive bidding process required by subsection (a); and

(ii) depositing the receipts of the competitive bidding process;

(B) set forth each signficant milestone in the rulemaking process with respect to the competitive bidding process;

(C) include an explanation of the effect of each requirement in subsection (a) on the schedule for the competitive bidding process and any post-bidding activities (including the deposit of receipts) when compared with the schedule for the competitive bidding and any post-bidding activities (including the deposit of receipts) that would otherwise have occurred under section 337(b)(2) of the Communications Act of 1934 (47 U.S.C. 337(b)(2)) if not for the enactment of subsection (a);

(D) set forth for each spectrum auction held by the Federal Communications Commission since 1993 information on—

(i) the time required for each stage of preparation for the auction;

(ii) the date of the commencement and of the completion of the auction;

(iii) the time which elapsed between the date of the completion of the auction and the date of the first deposit of receipts from the auction in the Treasury; and

(iv) the dates of all subsequent deposits of receipts from the auction in the Treasury; and

(E) include an assessment of how the stages of the competitive bidding process required by subsection (a), including preparation, commencement and completion, and deposit of receipts, will differ from similar stages in the auctions referred to in subparagraph (D).

(2) Not later than October 5, 2000, the Director of the Office of Management and Budget and the Federal Communications Commission shall each submit to the appropriate congressional committees the report which shall—

(A) describe the course of the competitive bidding process required by subsection (a) through September 30, 2000, including the amount of any receipts from the competitive bidding process deposited in the Treasury as of September 30, 2000; and

(B) if the course of the competitive bidding process has included any deviations from the schedule set forth under paragraph (1)(A), an explanation for such deviations from the schedule.

(3) The Federal Communications Commission may not consult with the Director in the preparation and submittal of the reports required of the Commission by this subsection.

(4) In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The Committees on Appropriations, the Budget, and Commerce of the Senate.

(B) The Committees on Appropriations, the Budget, and Commerce of the House of Representatives.

DEPARTMENT OF DEFENSE REPORT ON THE CONDUCT OF OPERATION DESERT FOX AND OPERATION ALLIED FORCE

SEC. 8129. (a) REPORT REQUIRED.—Not later than January 31, 2000, the Secretary of Defense shall submit to the congressional defense committees in both classified and unclassified form a report on the conduct of Operation Desert Fox and Operation Allied Force (also referred to as Operation Noble Anvil). The Secretary of Defense shall submit to such committees a preliminary report on the conduct of these operations not later than October 15, 1999. The report (including the preliminary report) should be prepared in consultation with the Chairman of the Joint Chiefs of Staff, the Commander in Chief of the United States Central Command, and the Commander in Chief of the United States European Command.

(b) REVIEW OF SUCCESSES AND DEFICIENCIES.—The report should contain a thorough review of the successes and deficiencies of these operations, with respect to the following matters:

(1) United States military objectives in these operations.

(2) With respect to Operation Allied Force, the military strategy of the North Atlantic Treaty Organization (NATO) to obtain said military objectives.

(3) The command structure for the execution of Operation Allied Force.

(4) The process for identifying, nominating, selecting, and verifying targets to be attacked during Operation Desert Fox and Operation Allied Force.

(5) A comprehensive battle damage assessment of targets prosecuted during the conduct of the air campaigns in these operations, to include—

(A) fixed targets, both military and civilian, to include bridges, roads, rail lines, airfields, power generating plants, broadcast facilities, oil refining infrastructure, fuel and munitions storage installations, industrial plants producing military equipment, command and control nodes, civilian leadership bunkers and military barracks;

(B) mobile military targets such as tanks, armored personnel carriers, artillery pieces, trucks, and air defense assets;

(C) with respect to Operation Desert Fox, research and production facilities associated with Iraq's weapons of mass destruction and ballistic missile programs, and any military units or organizations associated with such activities within Iraq; and

(D) a discussion of decoy, deception and counter-intelligence techniques employed by the Iraqi and Serbian military.

(6) The use and performance of United States military equipment, weapon systems, munitions, and national and tactical reconnaissance and surveillance assets (including items classified under special access procedures) and an analysis of—

(A) any equipment or capabilities that were in research and development and if available could have been used in these operations' respective theater of operations;

(B) any equipment or capabilities that were available and could have been used but were not introduced into these operations' respective theater of operations; and

(C) any equipment or capabilities that were introduced to these operations' respective theater of operations that could have been used but were not.

(7) Command, control, communications and operational security of NATO forces as a whole and United States forces separately during Operation Allied Force, including the ability of United States aircraft to operate with aircraft of other nations without degradation of capabilities or protection of United States forces.

(8) The deployment of United States forces and supplies to the theater of operations, including an assessment of airlift and sealift (to include a specific assessment of the deployment of Task Force Hawk during Operation Allied Force, to include detailed explanations for the delay in initial deployment, the suitability of equipment deployed compared to other equipment in the U.S. inventory that was not deployed, and a critique of the training provided to operational personnel prior to and during the deployment).

(9) The use of electronic warfare assets, in particular an assessment of the adequacy of EA–6B aircraft in terms of inventory, capabilities, deficiencies, and ability to provide logistics support.

(10) The effectiveness of reserve component forces including their use and performance in the theater of operations.

(11) The contributions of United States (and with respect to Operation Allied Force, NATO) intelligence and counterintelligence systems and personnel, including an assessment of the targeting selection and bomb damage assessment process.

(c) The report should also contain:

(1) An analysis of the transfer of operational assets from other United States Unified Commands to these operations' theater of operations and the impact on the readiness, warfighting capability and deterrence value of those commands.

(2) An analysis of the implications of these operations as regards the ability of United States armed forces and intelligence capabilities to carry out the current national security strategy, including—

(A) whether the Department of Defense and its components, and the intelligence community and its components, have sufficient force structure and manning as well as equipment (to include items such as munitions stocks) to deploy, prosecute and sustain operations in a second major theater of war as called for under the current national security strategy;

(B) which, if any aspects, of currently programmed manpower, operations, training and other readiness programs, and weapons and other systems are found to be inadequate in terms of supporting the national military strategy; and

(C) what adjustments need to be made to current defense planning and budgets, and specific programs to redress any deficiencies identified by this analysis.

This Act may be cited as the ''Department of Defense Appropriations Act, 2000''.

AMENDMENT NO. 7 OFFERED BY MR. KUCINICH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. KUCINICH:

At the end of the bill insert after the last section (preceding the short title) the following new section:

SEC. —. None of the funds made available in this Act may be used to procure a munition of a type referred to as a ''cluster bomb'' (also known as ''combined effects munitions'', ''CBU munitions'', ''sensor-fused weapons'', ''area-impact munitions'', ''anti-personnel bomblets'', ''anti-material bomblets'', and ''anti-armor bomblets'').

Mr. KUCINICH. Mr. Chairman, I rise today to offer an amendment that would prohibit any funds for the procurement of cluster bombs. Cluster bombs come in all types, sizes, colors and labels. But they all do two things. They often fail to explode when dropped in wartime, and they kill innocent civilians long after the war is over.

These weapons are dropped either by aircraft or rocket launchers. They break open in midair and disperse hundreds of bomblets that saturate an area with flying shards of steel. Cluster bombs turn into land mines when some of the bomblets fail to explode right away. The failure rate in cluster weapons is extremely high, between 5 percent to 30 percent. A GAO report on Desert Storm states that during the Gulf War, the Army's MLRS, the military launch rocket system, failed to explode when dropped more than 5 percent of the time, with some reaching a failure rate as high as 23 percent.

These unexploded bombs essentially become land mines and wreak havoc and kill civilians long after the war is over. About 1,100 cluster bombs containing more than 200,000 bomblets rained down on Yugoslavia and the Kosovo province. More than 1,100 unexploded bomblets are lying in fields in Kosovo. Usually these weapons come in various colors and toy-sized shapes to designate their type. They are very attractive to young children. Many of these children that play or are curious about these bombs are either killed or maimed. A recent example of this took place Saturday, April 24, when five ethnic Albanian children ages 3 to 15 were killed by unexploded cluster bombs trying to pry one open with a knife. According to the World Health Organization, in the past month over 170 people, that is over 170 people, have been killed or maimed by unexploded cluster bombs. Only last month, two British soldiers were killed trying to defuse an unexploded cluster bomb.

During the Gulf War, more than one-quarter of the total number of weapons dropped by aircraft in Iraq and Kuwait were cluster bombs. This means that 24 million to 30 million bomblets were dropped during the Gulf War. More than 1.2 million of these bombs failed to explode during the Gulf War and are now killing people, even though the war is over. More than 1,600 civilians were killed and over 2,500 injured in the first 2 years after the end of the Gulf War from cluster bombs. A Kuwaiti doctor said that 60 percent of those killed were children.

During the Vietnam War, more than 2.3 million tons of bombs fell on Laos. Many of them were cluster bombs. With a failure rate of 30 percent, an estimated 4 million cluster bomblets are still lying in rice fields, villages and on roadsides in Vietnam, Laos and Cambodia.

I want to bring my colleagues' attention to a young boy who fell victim to a cluster bomb explosion just 2 years ago, in 1996, 20 years after the end of the Vietnam War. While tilling the family rice paddy behind a water buffalo Ton Kemla's plow hit a long-hidden cluster bomblet that exploded and ripped him apart. My colleagues, because of cluster bombs, a young man in Laos became a victim of the war 20 years after the conclusion of the war. He had not even been born when the war officially ended. No difference, cluster bombs destroyed him even after the troops stopped fighting. He is not alone. There are many like him.

I ask why do we buy weapons and use weapons that have such a high incidence of failure and a high likelihood of killing after the war is over? We have much more sophisticated weaponry that is smarter and more effective in fighting a war. We will have spent more than $4.8 billion between 1995 and 1999 buying cluster bombs. We should not spend another penny on weapons that fail and that kill children after a war is over.

In addition to that, we have incidents where cluster bombs were dropped on populated areas during the war. What is NATO doing letting cluster bombs fall on populated areas?

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

I appreciate what the gentleman from Ohio is saying. I appreciate the tragedy in every war. Having been on the ground in combat myself, I have seen the mutilation of people affected by the wars themselves. It is not a pretty sight. We have had some record that we have had some problems with cluster bombs. It seems to me, though, that to ban them completely would endanger our own troops. I would have to oppose this strongly until we had an opportunity to maybe work out something, where in case we are fighting the type of war we did lately, that we would not use them in that type of war. I do not even know that I could agree to that. But I certainly could not agree to not using them at a time when it protects our own forces.

Mr. KUCINICH. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding. One of the things that called this to my attention is there was a dropping of cluster bombs at a downtown area of Nice, killing and injuring scores of shoppers and destroying about 20 homes.

Mr. MURTHA. I understand what the gentleman is saying, and I appreciate what he is saying. I think it is something we should look into. I would like to get this to a vote so we can move on with the bill.

Mr. KUCINICH. I respect the gentleman.

I would ask the gentleman, finally, if the gentleman would be interested in at least reviewing this policy related to cluster bombs being dropped near populated areas.

Mr. MURTHA. I think that is a legitimate request, and, working with the committee, I am sure we can work something out here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MR. KUCINICH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. KUCINICH:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) The Comptroller General, the Director of the Congressional Budget Office, and the Director of the Congressional Research Service of the Library of Congress shall conduct such studies as appropriate and within their respective capabilities to assist Congress in evaluating the air campaign conducted by the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia during Operation Allied Force in 1999. Those studies shall, at a minimum, identify the following matters:

(1) The damage that the NATO plan for the air campaign identified as necessary.

(2) The reasons why that damage was identified as being necessary.

(3) The military forces that the plan required and the extent to which those forces were committed.

(4) The extent to which the air campaign achieved the desired level of damage.

(5) The extent to which the damage caused by the air campaign had the predicted effects in terms of reducing capabilities of the Federal Republic of Yugoslavia in Kosovo.

(6) The extent to which the damage caused by the air campaign had the predicted effects in terms of undermining command and control capabilities of the ruling regime of the Federal Republic of Yugoslavia.

(7) The role of the bombing in obtaining the agreement of the regime of the Federal Republic of Yugoslavia to the Military Technical Agreement of June 10, 1999.

(8) Any other factors that led to the decision by the regime of the Federal Republic to the Military Technical Agreement of June 10, 1999.

(b) The studies under subsection (a) shall be submitted to Congress not later than one year after the date of the enactment of this Act.

(c) All data that would be declassified in the course of the studies under subsection (a) shall be electronically published on the Internet, and statistical data shall be electronically published in spreadsheet form, for

use by the public, academicians, and nongovernmental organizations.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California reserves a point of order.

Mr. KUCINICH. Mr. Chairman, the amendment I am offering today should not be controversial. The purpose of the amendment is to direct the Congressional Research Service, the Congressional Budget Office, and the General Accounting Office to coordinate a study that would evaluate the effectiveness of the air campaign in the Federal Republic of Yugoslavia and in Kosovo.

Astonishingly, no one is now conducting a study of such depth. Indeed, the Department of Defense is undertaking its own study of its performance in Yugoslavia. I commend them for doing that. But in my opinion their review will not go far enough. It will not completely answer an important question that many of us are asking: Was the bombing campaign effective in achieving our strategic and tactical goals in the Balkans?

Many lessons will be learned from the Kosovo war. But will they be the right lessons? Will they be correct or will they be clouded in bias by various interests? The study I propose would allow for a truly independent study conducted by various independent organizations. After 1 year, the report would be given to Congress and the data would be published on the Internet so that the public could have free and open access to it.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. If the gentleman would consider withdrawing this amendment, I would coordinate with him a letter from he and I to the GAO to get the kind of independent study he wants. I think it is a legitimate request, I think it is something we should do, and I think we should find out exactly what somebody outside the services believes about the bombing campaign and how effective it was and the other things that he has talked about.

Mr. KUCINICH. I am interested in doing that. Could we also ask the GAO to perform this study quickly so that important evidence would not be lost?

Mr. MURTHA. Absolutely.

Mr. KUCINICH. Then I would gratefully express my appreciation to the gentleman from Pennsylvania. I look forward to writing that letter with him.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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

I rise to engage the gentleman from California in a colloquy on a matter of concern that was brought to my attention by members of the Guard and Reserve. They believe that some savings may be realized by conversion of positions.

I had planned to offer an amendment to clarify the scope of the Defense Department's study of contracting out military and civilian positions pursuant to OMB Circular A–76. As the gentleman from California knows, the Department of Defense announced in 1995 that it could save approximately $10 billion over the next 10 years by contracting out 230,000 jobs to the private sector. While I support the savings, I want to make sure that privatization does not harm war-fighting capability of the United States Armed Forces.

According to this week's ''Defense News,'' Department of Defense officials are beginning to rethink their policy of planned competitions because some of the services have asked if they could achieve the required manpower and cost savings through their own reengineering.

This is what I believe we need to address. The Department of Defense has moved rapidly towards outsourcing, without allowing the individual service chiefs or base commanders the opportunity to meet manpower reductions and cost savings through other means. The Congress should encourage defense officials to consider savings that might be realized by giving greater consideration to retaining members of the military service and civilian personnel to perform required Department of Defense workload. I believe that cost savings can still be realized without affecting our war-fighting capability.

I want to commend the gentleman from California for his efforts in assessing the privatization issue. I ask him if he agrees that section 8109 and 8110 of the bill before us would cause the Department of Defense to give greater consideration to retaining government civilian employees and military members when considering whether to contract out support functions.

□ 1700

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I want to thank my colleague from Nebraska for bringing his concern to my attention, and I share his concern about the potential consequences that the current outsourcing initiative may have on the Department of Defense. I would also like to assure the gentleman that the intent of sections 8109 and 8110 is to give greater consideration to government employees and military service members as the Department of Defense continues its outsourcing initiative.

Mr. TERRY. Mr. Chairman, I thank the gentleman.

AMENDMENT OFFERED BY MR. STARK

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

The Clerk read as follows:

Amendment offered by Mr. STARK:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC.—. None of the funds made available in this Act may be used by the Armed Forces to participate in, or to provide support for, any airshow or trade exhibition held outside the United States.

Mr. STARK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STARK. Mr. Chairman, this is a simple amendment, and it does not save much money, but we learned from years ago from H. R. Gross that we save a little bit at a time and it adds up to a big amount.

But we have been subsidizing defense contractors at air shows designed to sell our weapons to foreign governments. I have no quarrel, and I am not here to debate the value or the validity of air shows, but I am suggesting that we have had a long history with this, and it culminated in 1992 when a U.S. Marine aircraft crashed on its way back from the Singapore airport, and in response to that misuse of taxpayers' money, because we had subsidized that air show by sending our planes, our men to basically be demonstrators or sales people——

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. STARK. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, there is no question we banned this at one time, we have had an erosion on the plan, we agree with what the gentleman is trying to do, and on behalf of the minority Democrat side I certainly would be glad to accept the amendment.

Mr. STARK. I appreciate the gentleman.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. STARK. I yield to the distinguished gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague bringing this matter to our attention. I have a very similar interests that he has here, and we are happy to accept the gentleman's amendment.

Mr. STARK. The gentleman's record is well known in that regard, and I deeply appreciate his support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. STARK).

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

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

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. Mr. Chairman, I rise in support of H.R. 2561, the Defense Appropriations Act.

I would like to thank Chairman LEWIS and Ranking Member MURTHA for their excellent work on this bill. And while thanking the Chairman and Ranking Member is customary, I believe that the Committee this year was able, through congressional oversight and additional funding, to begin the process of helping the Department of Defense fix those parts of the Defense budget which are broken. Wherever you stand on the larger issue of defense spending and on particular programs and weapons systems, fixing the Defense budget is good news, and it will improve the national security of this country.

This bill begins the process of fixing both long term budget problems, and near term problems identified during the recent conflict in Yugoslavia. The conflict in Kosovo was, in my view, an important triumph for U.S. ideals over the worst kind of repression seen in Europe in decades. But more centrally for the purposes of this bill, it also demonstrated and revealed much about the tremendous capabilities of several U.S. weapons systems including the B–2 bomber, and our deficiencies in other areas like electronic jamming. This bill seeks to emphasize and enhance those capabilities that performed well, and address those areas that revealed weaknesses.

H.R. 2561 includes funding for a 15th JSTARS aircraft, which performed magnificently in Kosovo. The Air Force has a requirement for 19 JSTARS, but only budgeted for 13. It increases funding for the EA–6B force, which was extremely effective but was strained to its limits flying continual sorties every day. And it continues the process of weaponizing the most advanced and effective bomber force in the world.

The work done by the House of Representatives over the last several years to support the heavy bomber force was dramatically vindicated in this recent conflict. As many of you know, the B–2 was the star of the air campaign over Kosovo, but it was not the only star. JDAM, the Joint Direct Attack Munition, was also a tremendous success. This simple weapon costs only about $15,000 a copy to buy. But combined with the radar and accuracy of the B–2, it performed flawlessly, and demolished almost every target it was assigned to destroy. Compared to the over $1 million cost of the CALCM cruise missiles also used in Kosovo, the JDAM was nothing short of a miracle for capability compared to cost. But as many of you know, JDAMs have only recently entered the U.S. arsenal. Boeing delivered the first production model of JDAM to the Air Force on June 24, 1998. The B–2 was still able to use JDAMs flawlessly, however, because Congress had appropriated funding for an early version, GATS/GAM. Congress accelerated the GATS/GAM program in FY93 by over a year, and it was successfully tested in October of 1996. Without the experience of testing and training with GATS/GAM, we might not have been as successful in the early days of the air campaign in Kosovo, when the B–2 was the only plane that could access the skies over Belgrade, and the only plane that could attack anywhere in bad weather.

We must continue to weaponize both the bomber and tac-air forces for conventional all-weather combat. We saw in Kosovo the importance of being able to forward deploy bombers closer to the theater of combat to get sortie rates up. We also saw the importance of in-theater communications. This highlights the need for Link 16 and inflight reprogramming capabilities on all of the bombers.

H.R. 2561 fully funds those needs. For this reason, it enjoys my strong support, and I urge all members to vote ''aye.''

The CHAIRMAN. Are their further amendments?

If there are no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HANSEN) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 256, he reported the bill back to the House with sundry amendments 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? If not, the Chair will put them en gros.

The amendments were 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.

The CHAIRMAN. The question is on passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 379, nays 45, not voting 10, as follows:

[Roll No. 334]

YEAS—379

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—45

Baldwin
Barrett (WI)
Brown (OH)
Capuano
Coburn
Conyers
Davis (IL)
DeFazio
Doggett
Duncan
Eshoo
Filner
Ganske
Gejdenson
Gutierrez
Hooley
Jackson (IL)
Jones (OH)
Kucinich
Larson
Lazio
Lee
Lofgren
Luther
McGovern
McKinney
Meeks (NY)

Miller, George	Payne	Sensenbrenner
Nadler	Rangel	Stark
Oberstar	Rivers	Velazquez
Obey	Rush	Vento
Owens	Sanders	Waters
Paul	Schakowsky	Waxman

NOT VOTING—10

Becerra	McDermott	Towns
Dunn	McInnis	Whitfield
Kasich	Peterson (PA)	
Kennedy	Portman	

□ 1726

Mr. COBURN, Mr. CONYERS, and Mrs. JONES of Ohio changed their vote from ''yea'' to ''nay.''

Mr. DEUTSCH, Mrs. MINK of Hawaii, Mr. WEYGAND and Ms. WOOLSEY changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PORTMAN. Mr. Speaker, because I was in my District, I was absent for Rollcall vote 334. Had I been in attendance, I would have voted ''yea'' on rollcall vote 334.

Stated against:

Mr. BECERRA. Mr. Speaker, on July 22, 1999, I was unavoidably detained during a rollcall vote; number 334, on passage of H.R. 2561, the Department of Defense Appropriations for F.Y. 2000. Had I been present for the vote, I would have voted ''no.''

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, FRIDAY, JULY 23, 1999 TO FILE PRIVILEGED REPORT FOR ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Friday, July 23, 1999 to file a privileged report on a bill making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XX, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JULY 23, 1999 TO FILE PRIVILEGED REPORT ON DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Friday, July 23, 1999 to file a privileged report on a bill making appropriations for the government of the District of Columbia and other activities chargeable, in whole or in part, against the revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XX, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JULY 23, 1999 TO FILE PRIVILEGED REPORT ON FOREIGN OPERATIONS APPROPRIATIONS ACT, 2000

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Friday, July 23, 1999 to file a privileged report on a bill making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2000, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XX, all points of order are reserved on the bill.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I rise for the purposes of inquiring as to what the schedule may be for the remainder of this week and next week.

Mr. Speaker, I yield to the gentleman from New York for the purpose of answering the inquiry.

Mr. LAZIO of New York. Mr. Speaker, I thank the distinguished Democratic whip for yielding.

Mr. Speaker, I am pleased to announce that the legislative business for this week has been completed.

The House will meet on Monday, July 26 at 12:30 p.m. for morning hour, and 2 o'clock p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to all Members' offices tomorrow. After suspensions, we will begin consideration of H.R. 1074, the Regulatory Right to Know Act. Members should be aware that there will be recorded votes after 6 o'clock p.m. on Monday, July 26.

On Tuesday and the balance of next week, the House will take up the following measures: H.J. Resolution 57, a joint resolution disapproving China NTR; the Energy and Water Appropriations Act, the District of Columbia Appropriations Act, and the Foreign Operations Appropriations Act.

□ 1730

Mr. Speaker, I would also like to remind the House of the memorial arrangements that have been made to honor the life of our great colleague, the gentleman from California (Mr. Brown).

On Wednesday July 28 at 12:30 p.m. there will be a memorial service in California. We, therefore, will not schedule any votes on Wednesday in order to allow Members to attend that ceremony.

On Friday, July 30, at 11:00 a.m., there will be a service in Statutory Hall open to all Members as well.

I wish all Members safe travels back to their district, and thank the gentleman for yielding.

Mr. BONIOR. Mr. Speaker, I have a couple of inquiries of the gentleman from New York (Mr. LAZIO). First, I would like to ask the gentleman what time on Tuesday will the China MFN be considered?

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

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

Mr. LAZIO. Mr. Speaker, I thank the gentleman for yielding.

My expectation is that it will be earlier in the day rather than later, although, of course, there is no certainty. I would expect that it would be earlier on Tuesday.

Mr. BONIOR. I thank my colleague on that.

Then let me also ask the gentleman from New York (Mr. LAZIO), we assume that no votes will occur or any debate would occur on Wednesday, in honor of our late colleague, the gentleman from California (Mr. Brown), because of the services. Am I correct on that?

Mr. LAZIO. Yes. If the gentleman would yield again, I expect that all recorded or requested votes will be rolled or postponed. We do not expect any votes, but we do expect legislative business on that day, including debate and possible other committee consideration, but there will be no votes, recorded votes, that will be held on that day.

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

Mr. BONIOR. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me simply strenuously object to that proposition. The fact is that the gentleman from California (Mr. Brown) was a distinguished Member of this House. He had a good many friends, and a lot of those friends were on the Committee on Appropriations. I do not believe it is right, when one of the most senior Members of the House and one of the most distinguished members of the House has a memorial service and a number of us would be denied the opportunity to attend that memorial service because they want our committees to stay here debating appropriation bills that day. It just seems to me that there ought to be another way that a civilized institution could honor one of its own without preventing some of his oldest friends from attending that memorial service.

I would say that if we cannot find that kind of accommodation that there