help and serving as a leader for our young people.

FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

The SPEAKER pro tempore (Mr. COLLINS). Pursuant to House Resolution 503 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4205.

□ 1024

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes, with Mr. BURR of North Carolina (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, May 7, 2000, amendments en bloc printed in House Report 106–621 offered by the gentleman from South Carolina (Mr. SPENCE) had been disposed of.

It is now in order to consider Amendment No. 10 printed in House Report 106–621.

AMENDMENT NO. 10 OFFERED BY MR. SANFORD

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SANFORD:

At the end of title III (page 82, after line 14), insert the following new section:

SEC. ___. REPEAL OF AUTHORITY FOR LESS-THAN-FAIR-MARKET-VALUE TRANSFERS OF PROPERTY FOR LAW ENFORCEMENT ACTIVITIES.

(a) PROVISIONS REPEALED.—Sections 381 and 2576a of title 10, United States Code, are repealed.

(b) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 18 of such title is amended by striking the item relating to section 381.

(2) The table of sections at the beginning of chapter 153 of such title is amended by striking the item relating to section 2576a.

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, the gentleman from South Carolina (Mr. SANFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SANFORD).

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

Mr. Chairman, I have an amendment that I think is in the best interests of the United States military, and I say that for many different reasons. But one of the reasons I would say that is that when the American taxpayer buys this helicopter, not this helicopter, but the model that it represents, this is a UH–68 Blackhawk Helicopter, is it runs somewhere between $8- and $10 million a copy. That is when they buy them.

Now, at the end of the cycle, when the Army is through using them, rather than selling the wheels or selling the motor or selling the frame or selling the whole thing, it is given away. It is given away to other pieces of the Federal Government, it is given away to State or local governments. I think that in this era, which has been talked about through the course of this debate, of scarce military dollars, the military needs every dollar they can have. Rather than continuing to give these dollars away, why does the military not keep it?

The origins ever the program behind giving this helicopter and other things away made a lot of sense 50 years ago, because in the wake of World War II we had all kinds of things out there. So the idea was let us give some of this stuff away.

What is interesting is by the Department of Defense's own estimates, roughly, approximately, $350 million a year gets given away through this program. Now, that is, if you assume that this helicopter is worth $1. If it is, in fact, worth $10, we are talking about $3.5 billion a year that is given away out of the back door of DOD to other agencies, State, local or Federal.

Now, to give you an idea of scale, the Law Enforcement Support Program takes 5,000 orders a day. It gives away, as I said, that amount of money. Over the last two years, they have given away, given away, 253 aircraft, including 6 and 7 passenger airplanes, Blackhawks, Hueys, MD–500s and Bell Jet Rangers. They have given away 7,800 M–16s, they have given away 181 grenade launchers, they have given away 1,161 pair of night vision goggles. That is a lot of things, and that is just part of the list.

To give you another idea of scale, the State and Local Law Enforcement Equipment Procurement Program sells at reduced prices a number of things within the DOD inventory. I went down their Web page. If you look on the Web page, you will find things like wristwatches, stopwatches, compasses, lubricating oil, commercial automobile oil, camping and hiking equipment.

The point of all that is to say this is not used stuff. It is not used, like the helicopter. It is brand new stuff that is still sitting in its case. It has market value. It could be sold at an open auction, and those dollars could be used by DOD for procurement and they could be used for training.

So I offer this amendment because it stops money from being siphoned off from defense. It, secondly, helps to create a clear budget. If we are to make good decisions in government, they rest on reality. Budgets have to show reality. Unfortunately, current budgets do not. What they do is they overstate the cost of defense, and they understate the cost of other Federal agencies, and understate the cost of state and local government.

The third reason I offer this amendment is because it is in the best interest of the taxpayer. That is why it is supported by the National Taxpayers Union, that is why it is supported by Citizens Against Government Waste. They do so because if something is given to you, you oftentimes treat it very differently than if you have to pay dearly for it.

To give you an idea of the kind of excesses that occur in this program, for instance, 60 Minutes did a special about 2 years ago about a small rural county in central Florida that, through this program, among other things, had been given 23 helicopters, an armored personnel carrier, and two C–12 airplanes. As it turned out, that county was using it as a revenue source.

□ 1030

They would keep the stuff for a couple of years and then they would sell it on the open market, making hundreds of thousands of dollars for that county.

If it is not used that way, frankly, it is used strangely. I went to a county in South Carolina where the chief of police was taking helicopter lessons in a helicopter that would run $1,500 an hour. It did not cost the county that much because they had been given the helicopter, but it did cost the taxpayer that much.

Another reason I offer this is if it is not used that way, the equipment sits idly by. I flew into a small county airport in South Carolina surrounded with a number of large Air Force and Navy airplanes, and I said to my brother, what is the trouble with these airplanes?

They were given to the county through this Federal program and, as he explained it, the county accepted it not because they had any use for it, the equipment had been sitting there for years, but because they could not afford not to take it since it was given away.

I think this amendment makes common sense. I would urge its adoption. It is about priorities.

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

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

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The gentleman from Virginia (Mr. BATEMAN) is recognized for 5 minutes.

Mr. BATEMAN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I appreciate the fact that any program that any agency of government runs may have some abuses in it, and certainly the Committee on Armed Services would like to know where there are abuses and to be able to correct them.

Basically what this amendment does is to repeal two sections of the code which have proven extremely useful to law enforcement throughout America.

One section of the code that would be eliminated is a provision which allows local law enforcement agencies to buy equipment from the catalog list that is available to the Department of Defense and buy it at the prices that the Federal Government or the Department of Defense, through their purchasing power, can obtain at lower prices.

I, frankly, see no reason why we should deprive law enforcement agencies of the opportunity to acquire equipment that they need to fight crime at the lowest price and to have the Federal Government being involved in cooperating and making that possible.

The second aspect of the amendment would repeal a provision of the law that says that the Department of Defense can give to local law enforcement agencies surplus equipment that is no longer needed by the Department of Defense.

This has been a source for a great deal of equipment moving to law enforcement agencies, has been very helpful to them, and this provision has the strong support of law enforcement agencies and associations throughout the country, and certainly the amendment has the resounding opposition of those agencies.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from Virginia (Mr. BATEMAN) for yielding 2 minutes to me.

Mr. Chairman, I am very strongly committed to the proposition that we need to rebuild our defenses, that they have been built down way too far, and I am sympathetic to the concerns about saving money and doing that that the gentleman who offered this amendment proposes.

I also chair the Subcommittee on Crime in the House and I know that the programs he is trying to strike here are vital to the efforts of local law enforcement to be able to fight the drug war, to be able to do what they have to do in antiterrorism. I have been personally out in the field in numerous jurisdictions looking at things where the surplus properties were properties purchased because of the buying program that allows the volume to be purchased the gentleman from Virginia (Mr. BATEMAN) talked about that are in full use.

Principally, they are helicopters that they are acquiring in the excess surplus program so they can fly around and deal with the issue of locating marijuana growing areas or finding the bad guys or whatever.

The oil that the gentleman referred to is used to be able to have the oil for the airplanes for the most part. Maybe occasionally it is oil for their vehicles that they would not otherwise be able to do.

Sadly but truthfully, local law enforcement does not have the kind of resources allocated to it from the counties and the local government or the States that are required to be able to have this larger item, the helicopters in particular, and if they had to go out and buy that from scratch there simply would not be the kind of protection to the citizenry we need in law enforcement in the local communities. There would not be the helicopters flying around at night that many people see helping to deter crime and locating these narcotraffickers and others that are out there.

So I have to reluctantly, severely, oppose this amendment. Counties like Hernando and Lake in Florida, in particular, I think have recently acquired such products as this. Bulletproof vests, helmets, computers, other critically items when they are in surplus, should go to the local law enforcement community first.

I think they should go the right way at a lower cost or at no cost in certain cases, such as the helicopters, where they are in excess and we need them for the protection of our folks.

So I strongly oppose the amendment, and I urge my colleagues to vote no on it.

Mr. BATEMAN. Mr. Chairman, I yield the remaining minute of the time to the gentleman from Mississippi (Mr. TAYLOR).

The CHAIRMAN pro tempore. The gentleman from Mississippi (Mr. TAYLOR) is recognized for 1½ minutes.

Mr. TAYLOR of Mississippi. Mr. Chairman, I thank the gentleman from Virginia (Mr. BATEMAN) for yielding me this time.

Mr. Chairman, I take this opportunity to say that the National Sheriffs Association, the International Association of Chiefs of Police, the Airborne Law Enforcement Association all oppose the Sanford amendment, but I would also remind him that Charleston County is the beneficiary of this. They have received a helicopter, as has Greenville County, South Carolina; as has Lexington County, South Carolina; as has Saluda County; as has the South Carolina Law Enforcement Divisions.

Actually, this is a very good program. The taxpayers paid for these things. It makes sense that our underfunded cities and counties should be able to use them before some foreign country gets them. That is why we changed the law about 8 years ago to give the American taxpayer preference for these things. We should leave the law as it is.

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

Mr. TAYLOR of Mississippi. I yield to the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, I would not dispute any of the things about this program of having great value to local law enforcement. The simple question I would ask is one of priorities.

It is one that I am trying to teach my young boys, and that is right now given what we have talked about in this debate, which is the scarcity of dollars in the Department of Defense, we simply have to set priorities. We cannot do both, and that is why I think these dollars ought to be retained within DOD.

Mr. TAYLOR of Mississippi. Mr. Chairman, reclaiming my time, we are talking about surplus equipment. The military has made the decision to surplus these things. I am not telling them to surplus it. Once they make that decision, the question is then should the American taxpayers get the benefit through their counties, through their cities, or should someone else?

The gentleman would deprive them of those benefits. I think that is a bad idea.

Mr. GOSS. Mr. Chairman, my concern with this amendment is quite simple: while well intentioned, I think it undermines our efforts in the war on drugs. This amendment would end the ability of State law enforcement agencies to purchase equipment needed specifically for the war on drugs and the fight against terrorism. While the phrase ''war on drugs'' tends to bring to mind images of jungles in Latin America, the reality is that it is fought everyday on our streets, in our schoolyards and playgrounds. Vivid proof of this came a few years ago in my southwest Florida district—the regional office of the Drug Enforcement Agency was blown up by individuals involved in drug trafficking. Allowing the Defense Department to sell appropriate surplus equipment to law enforcement agencies ensures they have the tools they need to counter this very real threat. I encourage my colleagues to reject the Sanford amendment.

Mr. KUCINICH. Mr. Chairman, I rise today in strong opposition to the Sanford Amendment to H.R. 4205, the National Defense Authorization Act for Fiscal Year 2001. This amendment proposes to eliminate an important element of a federal cooperative purchasing program which allows state and local police departments to purchase supplies and services at superdiscounted federal prices.

In 1997, I worked with police departments in my own congressional district to promote participation in cooperative purchasing. Twelve of my district's sixteen police chiefs attended a workshop that I sponsored on the cooperative purchasing process. I sponsored this workshop because I view cooperative purchasing as an invaluable resource for police departments seeking to maximize their operations budgets. The ability to purchase supplies and services at superdiscounted federal prices makes for better equipped and more efficient police forces.

The elimination of cooperative purchasing would clearly be contrary to the interests of the tax payers not just in my own district, but across the country. Created in 1994, as a provision in the Federal Acquisition Streamlining Act (FASA), cooperative purchasing takes advantage of the federal government's purchasing power. As a large consumer of all kinds of goods and services, the federal government's procurement agency—the General Services Administration (GSA)—negotiates superdiscounted prices with the suppliers of these goods and services. Cooperative purchasing simply allows state and local police departments to purchase surplus items directly from the federal government at these superdiscounted prices. The result is millions and

millions of dollars in savings for our nation's taxpayers. To eliminate cooperative purchasing would be to eliminate these savings.

Cooperative purchasing has allowed state and local police departments around the nation to make meaningful cuts in their supply budgets. Some police departments have been able to cut their supply costs by 10 percent. Should we vote to eliminate cooperative purchasing, the American tax payer will be forced to pay a premium in order to properly equip the men and women who keep our nation's neighborhoods safe. The elimination of cooperative purchasing powers would represent yet another instance of special interests being promoted over the public interest.

I urge my fellow Members of Congress to vote against the Sanford Amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, further proceedings on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) will be postponed.

Mr. SPENCE. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Oklahoma (Mr. LARGENT) for a colloquy.

Mr. LARGENT. Mr. Chairman, I had an amendment at the desk regarding section 2813 that I was going to offer, but after working with the Committee on Armed Services I have decided not to offer it.

My concern with section 2813 was the possibility that it could alter current law with respect to the military's ability to control utilities distribution facilities located on military bases.

The committee-adopted bill appeared to eliminate the Department of Defense's discretion to award privatization contracts based on competitive merit and instead shift the discretion to the State regulatory bodies.

I feared that the State regulatory authorities would have the opportunity to veto the Department of Defense's procurement decisions and direct DOD to award contracts to local incumbent utilities instead, thus opening the door for an unprecedented relinquishment of Federal contracting authority.

I also had concerns that this language might overly restrict the list of eligible bidders. The purpose of my amendment was to ensure that the Federal Government receives the maximum number of bids for those privatized facilities with a corresponding maximum amount of revenue to the Federal Government.

Mr. Chairman, I had an amendment at the desk that I was going to offer, but after working with the Committee on Armed Services I decided not to offer it.

I would like to enter into a colloquy, if I might, about section 2813, with the gentleman from Colorado (Mr. HEFLEY).

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

Mr. SPENCE. I yield to the gentleman from Colorado for a colloquy with the gentleman from Oklahoma (Mr. LARGENT).

Mr. HEFLEY. Mr. Chairman, I would be happy to enter into a colloquy with the gentleman from Oklahoma (Mr. LARGENT).

Mr. LARGENT. I thank my friend, the gentleman from Colorado (Mr. HEFLEY).

The gentleman from Colorado has been very gracious in agreeing to work with the interested Members, including members of the Committee on Commerce, on this provision as the bill proceeds through the legislative process. I am concerned that this provision, which allows for the privatization of utility systems on military bases as it is currently drafted, is overly broad in requiring compliance not only with State laws but also with State rulings and policies.

It is unclear to me how someone would comply with a State policy, and there is the strong possibility that some State agencies could use that language to develop policies that are not consistent with State law. I hope we can work together to fix this problem.

Mr. HEFLEY. I would say to the gentleman from Oklahoma (Mr. LARGENT), I have committed to work with him to make sure that the language is not overly broad. We do not intend for it to be overly broad. We do not intend for it to create inconsistencies with State law and regulation. I am happy to work with the gentleman on that.

Mr. LARGENT. I also am concerned that the provision only mentions State law and does not mention Federal law, and I hope that the provision can be modified to make it clear that purchasers of these systems have to comply with relevant Federal law, such as the Federal Power Act, as well as State law.

Mr. HEFLEY. I agree, and I would not want that unintended consequence either.

Mr. LARGENT. Finally, as the gentleman knows, we are very close to passing a bill to increase competition in the electric utility industry. I and several members of the Committee on Commerce are concerned that this language would have the unintended consequence of increasing the monopoly power of incumbent utilities in these areas. I hope the gentleman will work with concerned Members to make sure that these provisions are not used in a manner contrary to what we are trying to do with electricity restructuring legislation.

Mr. HEFLEY. I will work with the gentleman and other interested Members to make sure that we do not inadvertently put in place policies that may be contrary to what might be accomplished with the comprehensive electrical utility restructuring legislation.

I want to reiterate to the gentleman from Oklahoma (Mr. LARGENT) that it is the intent of the provision to level the playing field in the acquisition and maintenance of military utility infrastructure.

Section 2813 would require DOD's privatization initiative in this area to be conducted consistent with the Competition in Contracting Act. Moreover, we would require any awardee to conform to State regulations solely for the terms of that specific contract so that the same standards apply to infrastructure on both sides of the fence and that all parties to the competition for the contract are judged by the same standards.

I agree that competition will get the best result for DOD and for the taxpayer.

Mr. LARGENT. I appreciate the gentleman's willingness to work with me on this issue, and I thank my friend, the gentleman from Colorado (Mr. HEFLEY).

Mr. RODRIGUEZ. Mr. Chairman, I oppose the intent of the Largent amendment.

The existing utility privatization statute is unclear and needs the clarification we added in Committee with bi-partisan support.

The Committee language ensures fair competition and helps guarantee the reliability of energy distribution to our military bases.

The amendment would create unregulated monopolies with unprecedented bargaining power that could hold bases and taxpayers hostage in contract renegotiations.

Default, abandonment or early termination by the unregulated entities could imperil reliability and impose huge costs on our bases.

The amendment would upset the process of utility deregulation; no state has deregulated distribution services.

As approved in Committee, unregulated utilities could still compete. They would simply be expected to comply with the same health, safety, reliability, and system standards which apply to every other energy distribution system in that state.

I urge my colleagues to reject this amendment and maintain the carefully drafted language approved by the Armed Services Committee.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 2 by the gentleman from Massachusetts (Mr. FRANK); amendment No. 3 by the gentleman from California (Mr. DREIER); amendment No. 4 by the gentleman from Minnesota (Mr. LUTHER); amendment No. 20 by the gentleman from Ohio (Mr. TRAFICANT); amendment No. 13 by the gentleman from Florida (Mr. STEARNS); and amendment No. 10 by the gentleman from South Carolina (Mr. SANFORD).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. FRANK OF MASSACHUSETTS

The CHAIRMAN pro tempore. The unfinished business is the demand for a

recorded vote on amendment No. 2 offered by the gentleman from Massachusetts (Mr. FRANK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. FRANK of Massachusetts:

At the end of subtitle A of title X (page 302, after line 11), insert the following new section:

SEC. 1006. ONE PERCENT REDUCTION IN FUNDING.

The total amount obligated from amounts appropriated pursuant to authorizations of appropriations in this Act may not exceed the amount equal to the sum of such authorizations reduced by one percent. In carrying out reductions required by the preceding sentence, no reduction may be made from amounts appropriated for operation and maintenance or from amounts appropriated for military personnel.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 88, noes 331, not voting 15, as follows:

[Roll No. 194]

AYES—88

Baldwin
Barrett (WI)
Becerra
Berman
Blumenauer
Bonior
Brown (OH)
Capuano
Clay
Conyers
Coyne
Crowley
Davis (IL)
DeFazio
DeGette
Delahunt
Dingell
Doggett
Duncan
Ehlers
Engel
Eshoo
Filner
Frank (MA)
Ganske
Gephardt
Green (TX)
Gutierrez
Hinchey
Hoekstra
Holt
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Lee
Lewis (GA)
Lofgren
Lowey
Luther
McDermott
McGovern
McKinney
Meehan
Millender-McDonald
Miller, George
Minge
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Paul
Payne
Pelosi
Petri
Ramstad
Rangel
Rivers
Roybal-Allard
Royce
Rush
Sanchez
Sanders
Sanford
Schakowsky
Sensenbrenner
Shays
Smith (MI)
Stark
Tierney
Towns
Udall (CO)
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Woolsey
Wu

NOES—331

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—15

Barton
Campbell
Fattah
Fossella
Hoyer
Kaptur
Leach
Markey
Meek (FL)
Mollohan
Salmon
Slaughter
Stupak
Udall (NM)
Young (AK)

□ 1105

Mrs. CUBIN, and Messrs. BEREUTER, GORDON, DAVIS of Virginia and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''aye'' to ''no.''

Messrs. SHAYS, PAYNE, ENGEL, CONYERS and OBERSTAR changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BARTON of Texas. Mr. Chairman, on rollcall No. 194 I was unable to vote. Had I been present, I would have voted ''no.''

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). Pursuant to House Resolution 503, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 3 OFFERED BY MR. DREIER

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DREIER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. DREIER:

At the end of title XII (page 338, after line 13), add the following:

SEC. 1205. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.

(a) LAYOVER PERIOD FOR NEW PERFORMANCE LEVELS.—Section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. app. 2404 note)is amended—

(1) in the second sentence of subsection (d), by striking ''180'' and inserting ''60''; and

(2) by adding at the end the following:

''(g) CALCULATION OF 60-DAY PERIOD.—The 60-day period referred to in subsection (d) shall be calculated by excluding the days on which either House of Congress is not in session because of an adjournment of the Congress sine die.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any new composite theoretical performance level established for purposes of section 1211(a) of the National Defense Authorization Act for Fiscal Year 1998 that is submitted by the President pursuant to section 1211(d) of that Act on or after the date of the enactment of this Act.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 8, not voting 11, as follows:

[Roll No. 195]

AYES—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia

Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
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)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
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
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—8

Ganske
Green (WI)
Hayworth
Hostettler
Hunter
Payne
Rothman
Taylor (MS)

NOT VOTING—11

Barton
Campbell
Hoyer
Kaptur
Leach
Meek (FL)
Mollohan
Salmon
Stupak
Udall (NM)
Young (AK)

□ 1113

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BARTON of Texas. Mr. Chairman, on rollcall No. 195, I was unable to vote. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. HOYER. Mr. Chairman, earlier today I attended a ceremony in Annapolis, Maryland, at which Governor Parris Glendening signed into law a bill creating the "Judith P. Hoyer Early Child Care and Education Enhancement Program." Because of my attendance at that ceremony, I was unable to vote on two amendments to H.R. 4205, the Defense authorization bill for fiscal year 2001. Had I had been present, I would have voted "no" on the amendment numbered 2 offered by the gentleman from Massachusetts (Mr. FRANK) (Roll No. 194). I would have voted "aye" on the amendment numbered 3 offered by the gentleman from California (Mr. DREIER) (Roll No. 195).

AMENDMENT NO. 4 OFFERED BY MR. LUTHER

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The unfinished business is the demand for a recorded vote on Amendment No. 4 offered by the gentleman from Minnesota (Mr. LUTHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. LUTHER:

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUTHER OF MINNESOTA

At the end of subtitle C of title I (page 27, after line 24), insert the following new section:

SEC. __. DISCONTINUATION OF PRODUCTION OF TRIDENT II (D–5) MISSILES

(a) PRODUCTION TERMINATION.—Funds appropriated for the Department of Defense for fiscal years after fiscal year 2001 may not be obligated or expended to commence production of additional Trident II (D–5) missiles.

(b) AUTHORIZED SCOPE OF TRIDENT II (D–5) PROGRAM.—Amounts appropriated for the Department of Defense may be expended for the Trident II (D–5) missile program only for the completion of production of those Trident II (D–5) missiles which were commenced with funds appropriated for a fiscal year 2002.

(c) FUNDING REDUCTION.—The amount provided in section 102 for weapons procurement for the Navy is hereby reduced by $472,900,000.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 112, noes 313, not voting 9, as follows:

[Roll No. 196]

AYES—112

Allen
Baird
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Blumenauer
Bonior
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Conyers
Cummings
Cunningham
Davis (IL)
DeFazio
DeGette
Delahunt
Doggett
Duncan
Ehlers
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Gephardt
Green (TX)
Green (WI)
Gutierrez
Hall (OH)
Hinchey
Hoekstra
Holt
Hooley
Jackson (IL)
Jones (OH)
Kind (WI)
Klink
Kucinich
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Menendez
Miller, George
Minge
Mink
Morella
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Owens
Pallone
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Rivers
Roemer
Rohrabacher
Rush
Sabo
Sanders
Sandlin
Sanford
Sawyer
Schakowsky
Sensenbrenner
Serrano
Shays
Sherman
Slaughter
Stabenow
Stark
Strickland
Thompson (CA)
Tierney
Towns
Udall (CO)
Upton
Velazquez
Vento
Watt (NC)
Waxman
Weiner
Woolsey
Wu

NOES—313

Abercrombie
Ackerman
Aderholt
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage