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Mr. GINGRICH. I yield to my colleague, the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, the fact that the Soviets can produce more than we can, if that is so, that is really a tragedy and we ought to do something about it besides taking refuge in page 14 of this bill.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, we ought to do a lot about it, as the gentleman knows.

Mr. HYDE. This gentleman has the time.

Mr. DICKS. The gentleman yields.

Mr. HYDE. Second, the argument for redundancy, what happens to that? I have heard for years, we can bomb them to the Stone Age. They can bomb us. We do not need any more bombs. All of a sudden we are taking some apprehension at the fact that they can outproduce us in more bombs. What happens to the argument of redundancy?

Third, if the ABM Treaty was such a wonderful document 5 years ago or 6 years ago and President Reagan said he was going to informally observe it, that is fine, but it has been shredded and turned into confetti by the Soviet Union. It seems to me that changes the equation. Our response to that has to be the ability to break out of this unratified massively violated already by its terms expired treaty when and where we want to, not when the Soviet Union wants to. That is my complaint with the gentleman's position.

Mr. GINGRICH. Mr. Chairman, let me read one paragraph, and then I will yield. I cannot imagine any Member of this House, outside of the very Select Subcommittee on Appropriations and the Committee on Armed Services, who has any notion whether or not the United States should have on page 15:

An aggregate of more than 1,320 launchers described in paragraph 2 and heavy bombers equipped for air launch cruise missiles capable of a range in excess of 600 kilometers.

My point is just that it is madness for the U.S. House of Representatives to get involved at this level of self-limitation of our potential of change, given the length of time legislation takes.

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

Mr. GINGRICH. I am glad to yield to my friend, the gentleman from Washington.

Mr. DICKS. Mr. Chairman, one thing I want to make certain the gentleman understands is that this is a mutual restriction. If the President certifies that the Soviets have gone beyond any of those sub ceilings, all he has to do is send up a certification to the Congress and he is freed from these limits; so it is a question of mutual restraint. We will go the extra mile, as President Reagan said during his first 5 1/2 years. We will exercise mutual restraint.

I think it is in our security interest to do it. The Soviets have greater ca-

pability to break out and to add both warheads and launchers. So why would we do it, especially when we have had I think the last four or five Chairmen of the Joint Chiefs all say that this agreement is in our security interest.

Mr. HYDE. Mr. Chairman, if the gentleman will yield, because our response to their breaking the treaty by encrypting or by producing a new weapons' system, the SS-25, is not to go to the empty unproductive standing consultative commission, but it may be to add another B-52 with some cruise missile on it; but the gentleman will not let us do that. We have to start encrypting or building new weapons' systems. Give us the flexibility to respond to their buildup.

AMENDMENT OFFERED BY MR. STOKES

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

The Clerk read as follows:

Amendment offered by Mr. Stokes: On page 18, after line 18, add the following new section:

"UNAUTHORIZED APPROPRIATIONS

"Sec. 7. (a) Notwithstanding section 9126 or section 9133 of the Department of Defense Appropriations Act, 1987 (as contained in section 101(c) of the Joint resolution entitled 'Joint Resolution making continuing appropriations for fiscal year 1987, and for other purposes,' Public Law 99-500 and Public Law 99-591), only funds specifically authorized by the Congress in accordance with section 502 of the National Security Act of 1947 may be obligated or expended for intelligence or intelligence-related activities.

"(b) Except as provided in subsection (c), all intelligence and intelligence-related activities for which funds were appropriated in the Defense Appropriations Act, 1987 shall be considered specifically authorized by Congress pursuant to section 502 of the National Security Act of 1947.

"(c) It is the sense of Congress that certain intelligence or intelligence-related activities referred to in subsection (b) and identified by the Committee on Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives should be the subject of reprogramming actions agreed upon by the appropriate Committees of Congress."

Mr. STOKES (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 Ohio?

There was no objection.

Mr. STOKES. Mr. Chairman, the defense portion of the continuing resolution for fiscal year 1987 contained two general provisions—section 9126 and section 9133—which among their other effects waived the requirement of section 502 of the National Security Act of 1947. Section 502 requires that all funds spent for intelligence or intelligence-related activities must have been authorized and appropriated for the purposes for which they are expended. Apparently, the conferees felt such waivers were necessary because

the continuing resolution appropriated funds for intelligence and intelligence-related activities in excess of authorized levels in some cases, and in the absence of an authorization in others.

When the Permanent Select Committee on Intelligence became aware of section 9126 and section 9133, it immediately began a dialog with the Defense Appropriations Subcommittee in an effort to make several representations of great interest to the Intelligence Committee:

First, that section 502 is an essential element of congressional oversight of intelligence;

Second, that sections 9126 and 9133 had the effect, which were unintended by the conferees, of waiving the provisions of section 502 for all intelligence and intelligence-related activities during fiscal year 1987, whether or not they were authorized;

Third, that this result was of serious concern to the Intelligence Committee, and should be corrected; and

Fourth, that except for two activities, the committee had no quarrel with the unauthorized appropriations adopted by the conferees.

Mr. Chairman, the gentleman from Florida, the chairman of the Defense Appropriations Subcommittee, has been very appreciative of the Intelligence Committee's concerns. He has agreed to restore the application of section 502. Together, we have agreed to the authorization of all fiscal year 1987 unauthorized appropriations except the two activities of great concern to the Intelligence Committee.

As to these two activities, the Defense Subcommittee and the Intelligence Committee have agreed that they should be restructured in one case of an aircraft reconnaissance system and reallocated in the case of a technical collection system. Both systems are listed in the classified schedule of authorizations for H.R. 2112, the Intelligence Authorization Act for fiscal year 1988, under the title, "Unauthorized Appropriations for Reprogramming, Fiscal Year 1987." H.R. 2112, which was ordered reported today by the Intelligence Committee, contains a provision similar to the amendment I have offered.

Mr. Chairman, both these activities should be the subject of reprogrammings. The particulars of how the two committees agree these reprogrammings should be structured are reflected in the discussions they have had with appropriate intelligence officials.

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Mr. Chairman, I yield to the gentleman from Florida (Mr. CHAPPELL) for any comments that he may have on the amendment.

Mr. CHAPPELL. Mr. Chairman, I concur in the comments of the gentleman from Ohio. I want to express my appreciation and that of our subcommittee for his spirit of cooperation and

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his willingness to work with us in trying to work out a very difficult matter.

The chairman of the Permanent Select Committee on Intelligence and my colleague on the Committee on Appropriations has offered a proper amendment, I support the amendment, and I urge its adoption.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, the minority members of the subcommittee are very much aware of the amendment, as the chairman has stated, and we have no objection at all to this amendment.

Mr. STOKES. I yield to the gentleman from Illinois [Mr. HYDE], the ranking minority member of the Intelligence Committee.

Mr. HYDE. I thank the gentleman for yielding.

Mr. Chairman, I want to join in saying that we have no objection to this amendment, and we do support it.

Mr. STOKES. I thank the gentleman, and I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. STOKES].

~~The amendment was agreed to.~~

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

Mr. Chairman, I rise for the purpose of engaging the gentleman from Florida [Mr. CHAPPELL] in a colloquy concerning the McAlester Army Ammunition Plant.

Mr. Chairman, as the gentleman from Florida knows, we have just learned the Army Ammunition Command has plans to take away the Mark 84 bomb production workload from the McAlester Army Ammunition Plant.

You've been there, Mr. Chairman, so you know that the Mark 84 workload on the plant's "B Line" is their bread-and-butter workload.

In addition, Mr. Chairman, it is reported that the Army is also considering taking away the 5-inch projectile work from the McAlester AAP.

Does the gentleman from Florida agree that the Army should not proceed with any plans to reduce or remove the Mark 84 or 5-inch projectile workloads at the McAlester Army Ammunition Plant?

Mr. CHAPPELL. Mr. Chairman, if the gentleman will yield, the gentleman from Oklahoma has raised a very legitimate concern about the proposed reductions in workloads at the McAlester AAP. I agree that the Army should suspend any such plans to alter workloads at the McAlester AAP until we have had time to review the matter.

Mr. WATKINS. Is it the intent of the gentleman from Florida that none of the funds in this bill, nor the regular Department of Defense Appropriations Act for fiscal 1987, should be uti-

lized to reduce or remove the present workload at the McAlester AAP?

Mr. CHAPPELL. The gentleman from Oklahoma is correct. None of the funds in this bill, or any other act previously enacted into law, should be utilized to reduce the workload at the McAlester AAP.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think that it might be well to return to the discussion of a few minutes ago about the section of this bill that deals with the arms limitation language, because I think that some of the majority need to understand why some of us on this side of the aisle feel a little concerned about the way that we legislate around here, particularly in matters as weighty as this, and I do not think that either side of the aisle can doubt that when we put language into a bill that essentially establishes a brand-new foreign policy position for the United States, that that is in fact a very weighty subject.

Yet what we have brought to us today is a bill that not only takes that position, but then allows no amendments whatsoever to the product that has come out of the Democratic caucus.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, my question is, Why did the gentleman not move to strike it out then? He could have striken that entire section if it disturbed him so much. Why did he not move to strike it out?

Mr. WALKER. Because that is another factor of the way the majority legislates. In other words, we are given a chance only to either accept it all or reject it all, never to modify, never to have a chance as a body to work with this language and find out whether or not there may be acceptable ways to deal with it.

My guess is that the reason why they do not allow us to have any chance to deal with this language is because the last time they brought these kinds of bills to the floor, they ended up kind of embarrassed, because there was language that was brought onto the floor and there was debate on the floor that ended up showing that they do not have a very viable position, so that this time when they come to the floor, what they now say is, "We won't even allow any amendments to the section." It seems to me that that is a major concern.

Mrs. SCHROEDER. Will the gentleman yield further?

Mr. WALKER. I am glad to yield to the gentleman.

Mrs. SCHROEDER. I will get my own time a little later, but I just wanted to say that the last time we brought this to the floor we were not embarrassed at all. These won by very strong majorities, and in fact we would

have pursued them further, except we felt that it was important for the President to be able to go to Reykjavik, and in good faith and bipartisan good spirits we withdrew these. But they were not embarrassing to this side. In fact, it was with strong bipartisan support that they passed. We were offering the opportunity to strike the entire thing out if it were so desired, and these read exactly as they did after we amended the bill last year.

Mr. WALKER. Well, I realize that the Democratic caucus—and the gentleman is very, very generous—I mean, they really do feel strongly that the minority ought to be given real rights. I mean, we are given about the same rights here as Soviet Union rights, because what we are granted is the opportunity to vote up or down on one subject, much as they have a chance in their processes to vote up or down on one candidate from one party.

I would suggest if we were really going to be fair around here and we were really going to do this right, that we would simply allow the minority to have its chance to deal with this language. If this language is so great that it cannot even be subjected to any debate, then I suggest that maybe it has some merit to it not to allow amendments, but I suggest that there are some things in here that we might want to discuss a little bit, and maybe perhaps we ought to have some amendments too.

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

Mr. WALKER. I yield to the gentleman from Oregon.

Mr. AUCCOIN. I appreciate the gentleman's yielding.

Mr. Chairman, I would like to make this inquiry of the gentleman; Did the gentleman, if he objected to the rule and the manner in which he was able, or if he says so, unable to deal with the arms control provisions of this bill, did he go to the Rules Committee and ask for any different rule with regard to these provisions that he finds objectionable? Did he ask for greater latitude in terms of amending this bill? I think the record is that the gentleman did not.

Mr. WALKER. I think that that is exactly right on this particular bill. I would also say to the gentleman, however, that I go to the Rules Committee often, and I find very often that the Rules Committee does not bother to take minority considerations in, and I do not think that there was any chance that the minority was going to be given the right to amend this section of the bill.

Mr. AUCCOIN. But the point is that the gentleman did not go.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(On request of Mr. Young of Florida and by unanimous consent, Mr.