

Funderburk	Linder	Rose
Gekas	Livingston	Salmon
Geren	Longley	Saxton
Gibbons	Lucas	Seastrand
Gilman	Manzullo	Shadegg
Goss	McCollum	Shuster
Graham	McCrery	Sisisky
Gunderson	McHale	Skaggs
Hall (TX)	McHugh	Skelton
Hamilton	McIntosh	Smith (TX)
Hancock	McKeon	Solomon
Hansen	Mica	Spence
Hastert	Miller (FL)	Stearns
Hastings (WA)	Molinari	Stenholm
Hayworth	Mollohan	Stump
Hefley	Montgomery	Talent
Hostettler	Moorhead	Tanner
Houghton	Murtha	Tauzin
Hoyer	Myers	Taylor (MS)
Hunter	Myrick	Taylor (NC)
Hutchinson	Nethercutt	Tejeda
Inglis	Ortiz	Thornberry
Johnson, Sam	Oxley	Tiahrt
Johnston	Packard	Torkildsen
Kelly	Paxon	Torres
King	Payne (VA)	Vucanovich
Knollenberg	Peterson (FL)	Waldholtz
Kolbe	Pickett	Walker
Largent	Pombo	Walsh
Latham	Porter	Weldon (FL)
LaTourette	Quillen	Weldon (PA)
Laughlin	Quinn	White
Lazio	Radanovich	Wicker
Levin	Richardson	Young (FL)
Lewis (KY)	Roberts	Zeliff

NOT VOTING—5

Fields (TX)	LaFalce	Yates
Klecza	Wilson	

□ 1707

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the notice given earlier today, it is now in order to consider amendment No. 30 printed in part 2 of the report.

AMENDMENT OFFERED BY MR. POMBO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. POMBO: At the end of title X (page 377, after line 19), insert the following new section:

SEC. 1033. ROTC ACCESS TO CAMPUSES.

“(a) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

“§983. Institutions of higher education that prohibit Senior ROTC units: denial of Department of Defense grants and contracts

“(a) DENIAL OF DEPARTMENT OF DEFENSE GRANTS AND CONTRACTS.—(1) No funds appropriated or otherwise available to the Department of Defense may be made obligated by contract or by grant (including a grant of funds to be available for student aid) to any institution of higher education that, as determined by the Secretary of Defense, has an anti-ROTC policy and at which, as determined by the Secretary, the Secretary would otherwise maintain or seek to establish a unit of the Senior Reserve Officer Training Corps or at which the Secretary would otherwise enroll or seek to enroll students for participation in a unit of the Senior Reserve Officer Training Corps at another nearby institution of higher education.

“(2) In the case of an institution of higher education that is ineligible for Department of Defense grants and contracts by reason of paragraph (1), the prohibition under that paragraph shall cease to apply to that institution upon a determination by the Secretary that the institution no longer has an anti-ROTC policy.

“(b) NOTICE OF DETERMINATION.—Whenever the Secretary makes a determination under subsection (a) that an institution has an anti-ROTC policy, or that an institution previously determined to have an anti-ROTC policy no longer has such a policy, the Secretary—

“(1) shall transmit notice of that determination to the Secretary of Education and to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives; and

“(2) shall publish in the Federal Register notice of that determination and of the effect of that determination under subsection (a)(1) on the eligibility of that institution for Department of Defense grants and contracts.

“(c) SEMI-ANNUAL NOTICE IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register once every six months a list of each institution of higher education that is currently ineligible for Department of Defense grants and contracts by reason of a determination of the Secretary under subsection (a).

“(d) ANTI-ROTC POLICY.—In this section, the term ‘anti-ROTC policy’ means a policy or practice of an institution of higher education that—

“(1) prohibits, or in effect prevents, the Secretary of Defense from maintaining or establishing a unit of the Senior Reserve Officer Training Corps at that institution, or

“(2) prohibits, or in effect prevents, a student at that institution from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.”.

“(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“983. Institutions of higher education that prohibit Senior ROTC units: denial of Department of Defense grants and contracts.”.

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. POMBO] will be recognized for 5 minutes, and the gentleman from California [Mr. DELLUMS] will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I, along with my good friend, the gentleman from New York, GERRY SOLOMON, am offering this amendment today because I believe some of our institutions of higher education need to be put on notice that their policies of ambivalence or hostility toward our Nation’s armed services do not go unnoticed by this House.

I believe that when a college vents its policy protests by denying its students the opportunity to participate in ROTC, then that school should be denied Department of Defense dollars. It is just that simple. If a college feels that funding from the Department of Defense is important, then they should not attack ROTC, which trains those who will defend the liberties and freedoms of all Americans.

Colleges and universities need to know that starry-eyed idealism comes with a price. If they are too good or too self-righteous to treat our Nation’s military with the respect it deserves, then they may also be too good to receive the current generous level of

DOD dollars. With the passage of this amendment, we will end this ungrateful double standard.

The bottom line is an issue of fairness. The House, representing the American people, needs to stand behind our young men and women in ROTC programs, our constituents across this country. We should not allow some institutions to accept generous amounts of DOD dollars while slamming the door on our future military leaders.

For our young men and women who train to defend the freedoms of all Americans, and for those who have proudly worn the uniform of this country, I urge my colleagues to support the Pombo-Solomon amendment, and send a message over the wall of the academic ivory tower.

Mr. DELLUMS. Mr. Chairman, I rise in opposition to the amendment offered before the body at this moment. Mr. Chairman, this is not the first time that this amendment has come before us. I rise in opposition for the same reasons that I rose in opposition last year.

Mr. Chairman, there are several reasons why this amendment should be voted down. Not the least of these reasons is that it prevents the Secretary of Defense from utilizing, to the advantage of the United States, all of the academic and research institutions that the Secretary should have at his or her disposal.

Second, it micromanages the policy decisions of our U.S. universities. Who are we from these Chambers to dictate the policies of American universities? There are a variety of reasons why a university may determine that it is not interested in allowing senior ROTC units on the campus. That is not to say that the Department of Defense still cannot benefit on behalf of all of our men and women in uniform by the academic research skills of an institution that chose not to have a program on their campus.

It strikes this gentleman that we are, again, cutting off our noses to spite our faces. Let us also be aware that this is about compelling universities to respect the Department of Defense position that does not allow gay men and lesbians to serve openly in the service. This is also one of the targets of this amendment. In that regard, Mr. Chairman, it could have a chilling impact on the free speech rights of university campuses, the prerogatives of academic centers, and administrations around the country.

Mr. Chairman, my distinguished colleague, the gentleman from California, used the phrase, and I jotted it down, “Starry-eyed idealism will have to pay a price.” This is America, Mr. Chairman, or did I fall asleep and awaken in some other country? This is a Nation where we feel proud of the fact that people may engage in their first amendment rights, where we have differences of opinion, Republicans and