

determine whether the requirements and limitations in this section are being complied with."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127 the following new item:

"127a. Expenses for response operations; Defense Response Fund."

(b) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1994.—There is authorized to be appropriated for fiscal year 1994 to the Defense Response Fund established under section 127a of title 10, United States Code, as added by subsection (a), the sum of \$30,000,000.

(c) TRANSITION PROVISION.—In the case of any operation described in subsection (c) of section 127a of title 10, United States Code, as added by subsection (a), that is ongoing as of the date of the enactment of this Act, the limitation in subsection (e)(1)(A) of such section shall not apply with respect to expenditures during fiscal year 1994.

100.33 DEFENSE AUTHORIZATION

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, pursuant to House Resolution 248 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes.

Mr. DURBIN, Acting Chairman, assumed the chair; and after some time spent therein,

100.34 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment, as modified, submitted by Mr. SISISKY:

At the end of subtitle A of title X (page 329, after line 25), insert the following new section:

SEC. 1008. DEFENSE RESPONSE FUND.

(a) IN GENERAL.—(1) Chapter 3 of title 10, United States Code, is amended by inserting after section 127 the following new section:

"127a. Expenses for response operations; Defense Response Fund

"(a) AUTHORITY TO USE RESPONSE FUND.—In any case in which the armed forces are used to carry out an operation described in subsection (c), the Secretary of Defense may provide funds for the cost of such operation, subject to the limitations in this section, from the Defense Response Fund. Such funds shall be available only for the incremental costs to the Department of Defense of carrying out such operation.

"(b) ESTABLISHMENT OF FUND.—(1) There is established in the Treasury a fund to be known as the 'Defense Response Fund'. Amounts in the fund shall be available, subject to the limitations in this section, for transfer to the operation and maintenance and military personnel accounts of the Department of Defense.

"(2) Amounts appropriated to the fund shall remain available until expended.

"(3) Transfers from the fund shall not be charged against the maximum amount of transfer that may be made under any provision in an annual defense authorization or appropriations Act providing general authority for the transfer of funds among accounts and funds of the Department of Defense.

"(c) AUTHORIZED PURPOSES OF FUND.—Amounts in the fund may be used, at the dis-

cretion of the Secretary of Defense, only in connection with an operation required of the Department of Defense by the President which is one of the following:

"(1) A foreign disaster relief operation.

"(2) A peacekeeping operation carried out under the auspices of the United Nations or another international organization.

"(3) A peace enforcement operation carried out under the auspices of the United Nations or another international organization.

"(4) An operation to provide support to domestic civil authority.

"(5) A noncombatant evacuation operation.

"(d) FINANCIAL PLAN FOR OPERATIONS EXPECTED TO EXHAUST FUND.—In the case of any operation for which funds are provided under this section which the Secretary of Defense determines may exhaust the balance in the fund, the Secretary shall promptly submit to Congress a financial plan for the operation that sets forth the manner by which it is proposed by the executive branch to obtain funds for the total incremental cost to the United States of the operation.

"(e) PROHIBITION AGAINST USE FOR ONGOING AND SMALL-SCALE OPERATIONS.—(1) Amounts in the fund are not available—

"(A) for ongoing operations (except as provided in paragraph (2)(B)); or

"(B) for small-scale operations.

"(2)(A) For purposes of this subsection, an ongoing operation is an operation that was underway while the budget of the Department of Defense for the fiscal year during which the operation is to be funded was being prepared for submission to Congress.

"(B) The prohibition in paragraph (1)(A) does not apply in the case of an ongoing operation that was expected (as of the time such budget was being prepared) to be completed by the beginning of the fiscal year for which such budget was prepared but which (for reasons that could not be anticipated at the time of such preparation) continued into that fiscal year.

"(3) For purposes of this subsection, a small-scale operation is one for which the total incremental cost to the Department of Defense is expected to be less than \$1,000,000.

"(f) NOTICE TO CONGRESS.—Obligations for the incremental costs for any operation described in subsection (c) may not be made in excess of \$20,000,000 until the Secretary of Defense submits to Congress notification of the intention to make such obligations in excess of such amount and a period of 20 days has elapsed.

"(g) INCREMENTAL COSTS.—For purposes of this section, incremental costs of the Department of Defense with respect to an operation are the costs that are directly attributable to the operation and that are otherwise chargeable to accounts available for operation and maintenance or for military personnel. Any costs which are otherwise chargeable to accounts available for procurement may not be considered to be incremental costs for purposes of this section.

"(h) GAO AUDITS.—In addition to the financial statements and audits required by section 3515 and 3521 of title 31, United States Code, the Comptroller General of the United States shall from time to time carry out examinations of the fund to ensure that proper accounting procedures are followed and to determine whether the requirements and limitations in this section are being complied with."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127 the following new item:

"127a. Expenses for response operations; Defense Response Fund."

(b) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1994.—There is authorized to be appropriated for fiscal year 1994 to the De-

fense Response Fund established under section 127a of title 10, United States Code, as added by subsection (a), the sum of \$30,000,000.

(c) TRANSITION PROVISION.—In the case of any operation described in subsection (c) of section 127a of title 10, United States Code, as added by subsection (a), that is ongoing as of the date of the enactment of this Act, the limitation in subsection (e)(1)(A) of such section shall not apply with respect to expenditures during fiscal year 1994.

It was decided in the negative { Yeas ..... 199 Nays ..... 211

100.35 [Roll No. 426] AYES—199

Table with 3 columns listing names of representatives and their states, such as Abercrombie (OH), Andrews (ME), Bacchus (FL), Baesler (TX), Barca (FL), Barcia (TX), Barlow (TX), Becerra (CA), Beilenson (TX), Berman (TX), Bevill (TX), Bilbray (TX), Bishop (TX), Blackwell (TX), Bonior (TX), Borski (TX), Boucher (TX), Brewster (TX), Brooks (TX), Browder (TX), Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Byrne (TX), Carr (TX), Clay (TX), Clayton (TX), Clyburn (TX), Coleman (TX), Collins (IL), Collins (MI), Condit (TX), Coppersmith (TX), Coyne (TX), Cramer (TX), Danner (TX), Darden (TX), de la Garza (TX), DeLauro (TX), Dellums (TX), Derrick (TX), Dicks (TX), Dingell (TX), Dixon (TX), Dooley (TX), Durbin (TX), Edwards (CA), Edwards (TX), Engel (TX), English (AZ), English (OK), Evans (TX), Faleomavaega (AS), Fazio (TX), Fields (LA), Flake (TX), Foglietta (TX), Ford (MI), Ford (TN), Frank (MA), Gejdenson (TX), Gephardt (TX), Geren (TX), Gibbons (TX), Gonzalez (TX), Hall (OH), Hall (TX), Hamburg (TX), Hamilton (TX), Harman (TX), Hastings (TX), Hayes (TX), Hefner (TX), Hilliard (TX), Hinchey (TX), Hoagland (TX), Hochbrueckner (TX), Holden (TX), Hoyer (TX), Jefferson (TX), Johnson (GA), Johnson, E. B. (TX), Johnston (TX), Kaptur (TX), Kennedy (TX), Kennelly (TX), Kildee (TX), Klein (TX), Klink (TX), Kopetski (TX), Kreidler (TX), LaFalce (TX), Lancaster (TX), Lantos (TX), LaRocco (TX), Laughlin (TX), Leach (TX), Levin (TX), Lewis (GA), Lloyd (TX), Mann (TX), Manton (TX), Markey (TX), Martinez (TX), Matsui (TX), Mazzoli (TX), McCloskey (TX), McCurdy (TX), McDermott (TX), McHale (TX), McKinney (TX), McNulty (TX), Meehan (TX), Meek (TX), Mfume (TX), Mineta (TX), Minge (TX), Mink (TX), Moakley (TX), Mollohan (TX), Montgomery (TX), Moran (TX), Murtha (TX), Nadler (TX), Natcher (TX), Norton (DC), Oberstar (TX), Obey (TX), Olver (TX), Ortiz (TX), Parker (TX), Pastor (TX), Payne (NJ), Payne (VA), Pelosi (TX), Penny (TX), Pickett (TX), Price (NC), Rangel (TX), Reed (TX), Reynolds (TX), Richardson (TX), Roemer (TX), Rostenkowski (TX), Rowland (TX), Roybal-Allard (TX), Rush (TX), Sabo (TX), Sanders (TX), Sangmeister (TX), Sarpaluis (TX), Sawyer (TX), Schenk (TX), Schroeder (TX), Schumer (TX), Scott (TX), Serrano (TX), Sharp (TX), Sisisky (TX), Skaggs (TX), Skelton (TX), Slaughter (TX), Smith (IA), Spratt (TX), Stark (TX), Stenholm (TX), Stokes (TX), Strickland (TX), Studds (TX), Stupak (TX), Sweet (TX), Swift (TX), Synar (TX), Tanner (TX), Tejada (TX), Thompson (TX), Thornton (TX), Torres (TX), Torricelli (TX), Traficant (TX), Tucker (TX), Underwood (GU), Unsoeld (TX), Velazquez (TX), Vento (TX), Visclosky (TX), Volkmer (TX), Waters (TX), Watt (TX), Waxman (TX), Wheat (TX), Whitten (TX), Wilson (TX), Wise (TX), Woolsey (TX), Wyden (TX), Wynn (TX), Yates (TX)

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Table with 3 columns listing names of representatives and their states, such as Allard (TX), Andrews (NJ), Applegate (TX), Archer (TX), Armev (TX), Bachus (AL), Baker (CA), Baker (LA), Ballenger (TX), Barrett (NE), Barrett (WI), Bartlett (TX), Barton (TX), Bateman (TX), Bentley (TX), Bereuter (TX), Bilirakis (TX), Bliley (TX), Blute (TX), Boehlert (TX), Boehner (TX), Bonilla (TX), Bunning (TX), Burton (TX), Buyer (TX), Callahan (TX), Calvert (TX), Camp (TX), Canady (TX), Cantwell (TX), Cardin (TX), Castle (TX), Chapman (TX)