

Davis, Jo Ann	Jackson-Lee	Rohrabacher	Morella	Reynolds	Sununu
Davis, Tom	(TX)	Ros-Lehtinen	Murtha	Rodriguez	Sweeney
Deal	Jenkins	Ross	Myrick	Roemer	Tanner
Diaz-Balart	Johnson, Sam	Rothman	Nadler	Rogers (KY)	Tauscher
Doolittle	Jones (NC)	Royce	Napolitano	Roukema	Tauzin
Duncan	Kelly	Sanchez	Neal	Roybal-Allard	Terry
Ehrlich	Kennedy (RI)	Sanders	Nethercutt	Rush	Thomas
Everett	Kingston	Schaffer	Ney	Ryan (WI)	Thompson (CA)
Flake	Kucinich	Shows	Northup	Ryun (KS)	Thompson (MS)
Frank	Lantos	Slaughter	Nussle	Sabo	Thornberry
Gibbons	Lewis (CA)	Smith (NJ)	Oberstar	Sandlin	Thune
Gilman	LoBiondo	Souder	Oliver	Sawyer	Thurman
Goode	Lofgren	Strickland	Ortiz	Saxton	Tiahrt
Graham	McIntyre	Stump	Osborne	Schakowsky	Tiberi
Green (TX)	McNulty	Tancredo	Ose	Schiff	Tierney
Green (WI)	Miller, Jeff	Taylor (MS)	Otter	Schrock	Toomey
Gutknecht	Norwood	Taylor (NC)	Owens	Scott	Towns
Hall (TX)	Obey	Visclosky	Oxley	Sensenbrenner	Turner
Hayes	Paul	Wamp	Pallone	Serrano	Udall (CO)
Hayworth	Payne	Watson (CA)	Pascarell	Sessions	Udall (NM)
Hefley	Pickering	Weldon (FL)	Pastor	Shadegg	Upton
Hilleary	Pombo	Wicker	Pence	Shaw	Velazquez
Honda	Riley	Wolf	Peterson (MN)	Shays	Vitter
Houghton	Rivers	Young (FL)	Peterson (PA)	Sherman	Walden
Hunter	Rogers (MI)		Petri	Sherwood	Walsh
			Phelps	Shimkus	Waters
			Pitts	Shuster	Watkins (OK)
			Platts	Simmons	Watt (NC)
			Pomeroy	Simpson	Watts (OK)
			Portman	Skeen	Waxman
			Price (NC)	Skelton	Weiner
			Pryce (OH)	Smith (MI)	Weldon (PA)
			Putnam	Smith (TX)	Weller
			Quinn	Smith (WA)	Wexler
			Radanovich	Snyder	Whitfield
			Rahall	Solis	Wilson (NM)
			Ramstad	Spratt	Wilson (SC)
			Rangel	Stark	Woolsey
			Regula	Stenholm	Wu
			Rehberg	Stupak	Wynn
			Reyes	Sullivan	Young (AK)

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Abercrombie	DeGette	Issa
Ackerman	Delahunt	Istook
Akin	DeLauro	Jackson (IL)
Allen	DeLay	Jefferson
Armey	DeMint	John
Baca	Deutsch	Johnson (CT)
Bachus	Dicks	Johnson (IL)
Baird	Dingell	Johnson, E. B.
Baker	Doggett	Kanjorski
Baldacci	Dooley	Kaptur
Baldwin	Doyle	Keller
Barcia	Dreier	Kennedy (MN)
Barrett	Dunn	Kerns
Barton	Edwards	Kildee
Bass	Ehlers	Kilpatrick
Becerra	Emerson	Kind (WI)
Bentsen	Engel	King (NY)
Bereuter	English	Kirk
Berkley	Eshoo	Klecza
Berman	Etheridge	Knollenberg
Biggart	Evans	Kolbe
Bilirakis	Farr	LaFalce
Bishop	Fattah	LaHood
Blagojevich	Ferguson	Lampson
Blumenauer	Filner	Langevin
Blunt	Fletcher	Larsen (WA)
Boehlert	Foley	Larsen (CT)
Boehner	Forbes	Latham
Bono	Ford	LaTourette
Boozman	Fossella	Leach
Borski	Frelinghuysen	Lee
Boswell	Frost	Levin
Boucher	Galleghy	Lewis (KY)
Boyd	Ganske	Linder
Brady (PA)	Gekas	Lipinski
Brady (TX)	Gephardt	Lowey
Brown (FL)	Gilchrest	Lucas (KY)
Bryant	Gillmor	Lucas (OK)
Burr	Gonzalez	Luther
Callahan	Goodlatte	Lynch
Calvert	Gordon	Maloney (CT)
Camp	Goss	Maloney (NY)
Cannon	Granger	Manzullo
Cantor	Graves	Markey
Capito	Greenwood	Mascara
Capps	Grucci	Matheson
Capuano	Gutierrez	Matsui
Cardin	Hall (OH)	McCarthy (MO)
Carson (IN)	Hansen	McCarthy (NY)
Carson (OK)	Harman	McCollum
Castle	Hart	McCrery
Chambliss	Hastings (FL)	McDermott
Clay	Hastings (WA)	McGovern
Clayton	Herger	McHugh
Clement	Hill	McInnis
Clyburn	Hilliard	McKeon
Combest	Hinchey	McKinney
Condit	Hinojosa	Meehan
Conyers	Hobson	Meek (FL)
Cooksey	Hoeffel	Meeks (NY)
Costello	Hoekstra	Menendez
Coyne	Holden	Mica
Cramer	Holt	Millender-
Crane	Hooley	McDonald
Crenshaw	Horn	Miller, Dan
Crowley	Hostettler	Miller, Gary
Cubin	Hoyer	Miller, George
Cummings	Hulshof	Mink
Davis (CA)	Hyde	Mollohan
Davis (FL)	Inslee	Moore
Davis (IL)	Isakson	Moran (KS)
DeFazio	Israel	Moran (VA)

birth-abortion, which was referred to the House Calendar and ordered to be printed.

# NOTICE OF INTENTION TO OFFER RESOLUTION ON QUESTION OF PRIVILEGES OF THE HOUSE

Ms. SANCHEZ. Mr. Speaker, pursuant to rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House. The text of my resolution is identical to the resolution reported by the Ethics Committee and reads as follows.

In the matter of JAMES A. TRAFICANT, Jr., resolved that pursuant to article 1, section 5, clause 2 of the United States Constitution, Representative JAMES A. TRAFICANT, Jr., be, and he hereby is, expelled from the House of Representatives.

The SPEAKER pro tempore (Mr. SIMPSON). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from California will appear in the RECORD at this point.

The Chair will not, at this point, determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

# LIMITATION ON DEBATE ON CER- TAIN AMENDMENTS DURING FURTHER CONSIDERATION IN THE COMMITTEE OF THE WHOLE OF H.R. 5120, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2003

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5120 in the Committee of the Whole pursuant to House Resolution 488, debate on the following amendments, and any amendments thereto, be limited to the time specified equally divided and controlled by the proponent and an opponent as follows:

The amendment printed in the House Report 107-585 shall be debatable for 12 additional minutes.

The amendment printed in the CONGRESSIONAL RECORD and numbered 1 shall be debatable for 30 minutes.

The amendment printed in the CONGRESSIONAL RECORD and numbered 5 shall be debatable for 20 minutes.

The amendments printed in the CONGRESSIONAL RECORD and numbered 9 and 20 each shall be debatable for 10 minutes.

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

Mr. MENENDEZ. Mr. Speaker, reserving the right to object, and it is

## NOT VOTING—5

## □ 2003

Mrs. BIGGERT changed her vote from "yea" to "nay."

Mr. HAYES changed his vote from "nay" to "yea."

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

# REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.R. 4628, INTELLIGENCE AU- THORIZATION ACT FOR FISCAL YEAR 2003

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107-607) on the resolution (H. Res. 497) providing for consideration of the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

# REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.R. 4965, PARTIAL-BIRTH ABOR- TION BAN ACT OF 2002

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107-608) on the resolution (H. Res. 498) providing for consideration of the bill (H.R. 4965) to prohibit the procedure commonly known as partial-

not my intention to object but to clarify, the gentleman's proposition here, on unanimous consent, is that the 12 minutes on the Goss amendment are to be divided 6 apiece.

Mr. ISTOOK. Mr. Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Oklahoma under my reservation of objection.

Mr. ISTOOK. The gentleman's understanding is correct.

Mr. MENENDEZ. Mr. Speaker, it is my further understanding that of those 6 minutes, the Chair is going to be instructed as to how those 6 minutes are going to be divided.

Mr. ISTOOK. Mr. Speaker, if the gentleman will continue to yield, the UC request specifies divided equally between an opponent and a proponent of it. The UC request does not identify specific Members who would claim that time.

Mr. MENENDEZ. Mr. Speaker, continuing under my reservation of objection, let me ask an inquiry of the Chair. How will the Chair recognize individuals for those time frames on each side?

It is my understanding that of the 6 minutes to each side, I was to receive 3 of those 6, and I just want to make sure that that in fact take place.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield under my reservation of objection to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, it is my presumption that, as the ranking member, I would be recognized, and I would tell the gentleman that I will yield him the 3 minutes.

Mr. MENENDEZ. Reclaiming my time, Mr. Speaker, based upon that, I withdraw my reservation of objection.

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

There was no objection.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2003

The SPEAKER pro tempore. Pursuant to House Resolution 488 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. 5120.

□ 2008

#### 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. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, with Mrs. BIGGERT (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 earlier today, pending was the amendment printed in House Report 107-585 by the gentleman from Florida (Mr. Goss), and the bill was open from page 75, line 11, through page 103, line 10.

Pursuant to the order of the House of today, debate on the following amendments, and any amendments thereto, will be limited to the time specified, equally divided and controlled by the proponent and an opponent as follows:

The amendment printed in House Report 107-58 offered by the gentleman from Florida (Mr. Goss) shall be debated for 12 additional minutes;

the amendment printed in the CONGRESSIONAL RECORD and numbered 1 shall be debatable for 30 minutes;

the amendment printed in the CONGRESSIONAL RECORD and numbered 5 shall be debatable for 20 minutes; and

the amendments printed in the CONGRESSIONAL RECORD and numbered 9 and 20 each will be debated for 10 minutes.

Pursuant to the order of the House of today, the gentleman from Florida (Mr. Goss) and a Member opposed, the gentleman from Maryland (Mr. HOYER) each will control 6 minutes on the Goss amendment.

Mr. HOYER. Madam Chairman, I want to clarify, because it is not fair for me to claim all 6 minutes in opposition, A, because I am not in opposition.

Madam Chairman, because the gentleman from New Jersey (Mr. MENENDEZ) was concerned under the unanimous consent that he might not get the time to speak, and he is not a member of the Committee on Appropriations, in fairness, my understanding with the gentleman from Oklahoma (Mr. ISTOOK), and I think everybody's understanding, was that the proponents would have 6 minutes and the opponents would have 6 minutes, so that my only intent, Madam Chairman, is to ensure that the gentleman from New Jersey (Mr. MENENDEZ) get his 3 minutes. I also want to ensure that the gentleman from Indiana (Mr. ROEMER) gets his 3 minutes. So I am not claiming the time.

Mr. ROEMER. Madam Chairman, we need a clarification. I think the gentleman from Maryland rose to claim the time in opposition to yield 3 of the 6 minutes to the gentleman from (Mr. MENENDEZ).

The gentleman from New Jersey (Mr. MENENDEZ) is a proponent of Goss and not in opposition to Goss. So we may need a unanimous consent agreement here to agree that the gentleman from New Jersey (Mr. MENENDEZ) gets 3 minutes; that the gentleman from Florida (Mr. DIAZ-BALART) gets 3 minutes in supporting the Goss amendment; that the gentleman from Arizona (Mr. FLAKE) and the gentleman from Indiana (Mr. ROEMER) get 3 minutes each in opposition to the Goss amendment.

The CHAIRMAN pro tempore. The Chair mistook the attitude of the gentleman from Maryland (Mr. HOYER).

Does any Member rise in opposition to the amendment?

Mr. ROEMER. Madam Chairman, I rise in opposition to the Goss amendment.

The CHAIRMAN pro tempore. The gentleman from Indiana (Mr. ROEMER) will control 6 minutes.

Mr. ROEMER. I thank the Chairman.

Mr. DIAZ-BALART. Madam Chairman, as the designee of the proponent of the amendment, am I correct that I will, as the person controlling the 6 minutes, have the right to close?

The CHAIRMAN pro tempore. In the absence of a committee Member in opposition; that is correct.

Mr. DIAZ-BALART. As the designee of the proponent of the amendment, do I have the right to close?

The CHAIRMAN pro tempore. Without objection, the gentleman from Florida (Mr. DIAZ-BALART) will control 6 minutes as the designee of the proponent of the amendment.

Mr. HOYER. Reserving the right to object, Madam Chairman, I want to make clear that a unanimous consent has been propounded, which I think is a fair one, and what that does, it gives one Democrat a proponent of the Goss amendment and one Democrat who is an opponent 3 minutes apiece; and on the other side, one Republican who is a proponent gets 3 minutes and one Republican who is an opponent gets 3 minutes.

I am not going to seek any time. I am for the proposed unanimous consent irrespective of who closes or not. The proponent of the amendment, I presume, under the rules, would have the right to close.

Mr. DIAZ-BALART. Madam Chairman, will the gentleman yield?

Mr. HOYER. Madam Chairman, under my reservation of objection, I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I am still trying to get an answer as to whether the proponent of the amendment has the right to close. That is the first question I would like answered. As the proponent of the amendment, do I get the right to close?

The CHAIRMAN pro tempore. Members will suspend for a moment.

Mr. HOYER. Madam Chairman, it is my perception there is not opposition to the unanimous consent request, but I may be wrong.

The CHAIRMAN pro tempore. The Chair will state her current understanding. The 6 minutes in opposition will be controlled by the gentleman from Indiana (Mr. ROEMER), the 6 minutes for the proponent will be controlled by the gentleman from Florida (Mr. DIAZ-BALART). The gentleman from Florida (Mr. DIAZ-BALART) will have the right to close.

The Chair recognizes the gentleman from Florida (Mr. DIAZ-BALART).

Mr. HOYER. Madam Chairman, as I understand, there was a unanimous consent request propounded subsequent to the first unanimous consent, and that unanimous consent was of the