

Diaz-Balart, M. Kelly
 Doolittle Kennedy (MN)
 Dreier King (IA)
 Duncan King (NY)
 Dunn Kingston
 Ehlers Kirk
 Emerson Kline
 English Knollenberg
 Everett Kolbe
 Feeney LaHood
 Ferguson Latham
 Flake LaTourette
 Fletcher Leach
 Foley Lewis (CA)
 Forbes Lewis (KY)
 Fossella Linder
 Franks (AZ) LoBiondo
 Frelinghuysen Lucas (OK)
 Gallegly Manzullo
 Garrett (NJ) McCotter
 Gerlach McHugh
 Gibbons McKeon
 Gilchrest Mica
 Gingrey Miller (FL)
 Goode Miller (MI)
 Goodlatte Moran (KS)
 Granger Murphy
 Graves Musgrave
 Green (WI) Myrick
 Greenwood Ney
 Gutknecht Northup
 Hall Norwood
 Harris Nunes
 Hart Nussle
 Hastings (WA) Osborne
 Hayes Ose
 Hefley Otter
 Hensarling Oxley
 Herger Paul
 Hobson Pearce
 Hoekstra Pence
 Hostettler Peterson (PA)
 Houghton Petri
 Hulshof Pickering
 Hunter Pitts
 Hyde Platts
 Isakson Pombo
 Issa Porter
 Istook Portman
 Jenkins Pryce (OH)
 Johnson (CT) Putnam
 Johnson (IL) Quinn
 Johnson, Sam Radanovich
 Jones (NC) Ramstad
 Keller Regula

NOT VOTING—21

Baird Hayworth
 Ballance Janklow
 Cardin Jefferson
 Gephardt Kilpatrick
 Gillmor Kind
 Goss Lipinski
 Gutierrez McCreery

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise Members that there are 2 minutes left on the 15-minute clock.

□ 2112

Mrs. MALONEY changed her vote from “no” to “aye.”
 So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. NETHERCUTT. Mr. Speaker, due to a family emergency, I was unavoidably absent on January 8, 2003. I ask the RECORD to reflect that, had I been present, I would have voted “yea” on rollcall vote 7, final passage of

S. 23, the Unemployment Insurance Benefits Extension Act.

CONGRATULATING OHIO STATE UNIVERSITY BUCKEYES FOOTBALL TEAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 10.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and agree to the resolution, H. Res. 10, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 1, answered “present” 4, not voting 24, as follows:

[Roll No. 12]

YEAS—404

Abercrombie Chocola
 Ackerman Clay
 Aderholt Clyburn
 Akin Coble
 Alexander Cole
 Allen Collins
 Andrews Combest
 Baca Conyers
 Bachus Cooper
 Baker Costello
 Baldwin Cox
 Ballenger Cramer
 Barrett (SC) Crane
 Bartlett (MD) Crenshaw
 Barton (TX) Crowley
 Bass Cubin
 Beauprez Culberson
 Becerra Cummings
 Bell Cunningham
 Bereuter Davis (AL)
 Berkley Davis (CA)
 Berman Davis (FL)
 Berry Davis (IL)
 Biggert Davis (TN)
 Bishop (GA) Davis, Jo Ann
 Bishop (NY) Davis, Tom
 Bishop (UT) Deal (GA)
 Blackburn DeFazio
 Blumenauer DeGette
 Blunt Delahunt
 Boehlert DeLauro
 Boehner DeLay
 Bonilla DeMint
 Bonner Deutsch
 Bono Diaz-Balart, L.
 Boozman Diaz-Balart, M.
 Boswell Dicks
 Boucher Dingell
 Boyd Doggett
 Bradley (NH) Dooley (CA)
 Brady (PA) Doolittle
 Brown (OH) Doyle
 Brown (SC) Dreier
 Brown, Corrine Duncan
 Brown-Waite, Dunn
 Ginny Edwards
 Burgess Ehlers
 Burns Emanuel
 Burr Emerson
 Burton (IN) Engel
 Buyer English
 Calvert Eshoo
 Camp Etheridge
 Cannon Evans
 Cantor Everett
 Capito Farr
 Capps Fattah
 Capuano Feeney
 Cardoza Ferguson
 Carson (IN) Filner
 Carson (OK) Flake
 Carter Fletcher
 Case Foley
 Castle Forbes
 Chabot Ford

Keller Nadler
 Kelly Napolitano
 Kennedy (MN) Neal (MA)
 Kennedy (RI) Ney
 Kildee Northup
 King (IA) Norwood
 King (NY) Nunes
 Kingston Nussle
 Kirk Oberstar
 Kleczka Oliver
 Kline Ortiz
 Knollenberg Osborne
 Kolbe Ose
 Kucinich Otter
 LaHood Owens
 Lampson Oxley
 Langevin Pallone
 Lantos Pascrell
 Larsen (WA) Pastor
 Larson (CT) Paul
 Latham Pearce
 LaTourette Pelosi
 Leach Pence
 Lee Peterson (MN)
 Levin Peterson (PA)
 Lewis (CA) Petri
 Lewis (GA) Pickering
 Lewis (KY) Pitts
 Linder Platts
 LoBiondo Pombo
 Lofgren Pomeroy
 Lowey Porter
 Lucas (KY) Portman
 Lucas (OK) Price (NC)
 Lynch Pryce (OH)
 Majette Putnam
 Maloney Quinn
 Manzullo Radanovich
 Markey Rahall
 Marshall Ramstad
 Matheson Rangel
 Matsui Regula
 McCarthy (MO) Rehberg
 McCarthy (NY) Renzi
 McCollum Reyes
 McCotter Reynolds
 McGovern Rodriguez
 McHugh Rogers (AL)
 McIntyre Rogers (KY)
 McKeon Rogers (MI)
 McNulty Rohrabacher
 Meehan Ros-Lehtinen
 Meek (FL) Ross
 Meeke (NY) Rothman
 Menendez Roybal-Allard
 Mica Royce
 Michaud Ruppertsberger
 Millender Ryan (OH)
 McDonald Ryan (WI)
 Miller (FL) Ryun (KS)
 Miller (MI) Sabo
 Miller (NC) Sanchez, Linda
 Miller, George T.
 Mollohan Sanchez, Loretta
 Moore Sandlin
 Moran (KS) Saxton
 Moran (VA) Schakowsky
 Murphy Schiff
 Murtha Schrock
 Musgrave Scott (GA)
 Myrick Scott (VA)

NAYS—1

Sensenbrenner

ANSWERED “PRESENT”—4

Hinchey Sanders
 Obey Tierney

NOT VOTING—24

Baird Hayworth
 Ballance Janklow
 Bilirakis Kaptur
 Brady (TX) Kilpatrick
 Cardin Kind
 Gillmor Lipinski
 Goss McCreery
 Gutierrez McDermott

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise the Members that there are 2 minutes left in the 5-minute vote.

□ 2119

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, unfortunately, personal business requires my presence in the district. Had I been present for today's legislative business I would have cast my votes as follows: "nay" on rollcall No. 5, on ordering the previous question during consideration of H. Res. 14; "aye" on rollcall No. 6, on the motion to instruct offered by the gentleman from Washington (Mr. McDERMOTT); "aye" on rollcall No. 7, S. 23, the Unemployment Insurance Benefits Extension Act; "nay" on rollcall No. 8, on ordering the previous question during consideration of H. Res. 15; "aye" on rollcall No. 9, the motion to adjourn; "nay" on rollcall No. 10 on the motion tabling the appeal of the ruling of the chair; "aye" on rollcall No. 11 on the motion to instruct offered by the gentleman from Wisconsin, Mr. OBEY; and "yea" on rollcall No. 12 on passage of H. Res. 10, a resolution congratulating the Ohio State University Buckeyes football team.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, this evening I had to depart early for a previously scheduled meeting. As a result, I was not able to be present for rollcall votes 10, 11, and 12. Had I been present, I would have voted "yea" on rollcall vote 10, "nay" on rollcall vote 11, and "yea" on rollcall vote 12.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 2, and that I may include tabular and extraneous material.

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

There was no objection.

MAKING FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 15, I call up the joint resolution (H.J. Res. 2) making continuing appropriations for the fiscal year ending September 30, 2003, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 2 is as follows:

H.J. RES. 2

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107-229 is further amended by striking the date specified in section 107(e) and inserting in lieu thereof "January 31, 2003".

SEC. 2. Public Law 107-229, as amended, is further amended in section 120, by striking "and December 1, 2002," and inserting "December 1, 2002, January 1, 2003, and February 1, 2003."

SEC. 3. Section 613 of the Treasury and General Government Appropriations Act, 2002, is amended (1) by striking "2001" and "2002" each place it appears and subsection (a)(1), as so amended, by inserting "(as in effect on September 30, 2002)" after "Act, 2002" and after "such section 613": *Provided*, That such section, as so amended, shall be effective through September 30, 2003, notwithstanding section 107 of this joint resolution.

SEC. 4. Public Law 107-229, as amended, is further amended by striking section 137 and inserting the following new section:

"SEC. 137. (a) Notwithstanding any other provision of this joint resolution, in addition to amounts made available in section 101, and subject to sections 107(c) and 108, such sums as may be necessary shall be available to the Securities and Exchange Commission for the Secretary of the Treasury to advance start-up expenses to the Public Company Accounting Oversight Board pursuant to section 109(j) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107-204).

"(b) Notwithstanding any other provision of this joint resolution, upon the collection of fees authorized in section 109(d) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107-204), the Public Company Accounting Oversight Board shall reimburse the Securities and Exchange Commission for any Commission appropriations advanced to the Board for start-up expenses pursuant to section 109(j) of such Act or subsection (a) of this section, so as to result in no net effect of such advances on appropriations available to the Commission in fiscal year 2003."

SEC. 5. Section 8005 of the Department of Defense Appropriations Act, 2003 (Pub. L. 107-248) is amended by inserting before the period at the end the following: "": *Provided further*, That in addition to the transfer authority provided in this section, and subject to the terms and conditions of this section except the limitation in the fourth proviso, only to meet unforeseen requirements associated with the global war on terrorism, the Secretary of Defense may transfer an additional \$2,500,000,000 of working capital funds of the Department of Defense or funds made available in titles I through VII of this Act to the Department of Defense for military functions (except military construction), including programs and activities of the National Foreign Intelligence Program (with the concurrence of the Director of Central Intelligence) and the United States Special Operations Command, between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred".

SEC. 6. (a) APPROVAL OF PROSPECTUS.—For purposes of section 3307(a) of title 40, United States Code, the prospectus of General Services Administration entitled "Prospectus—Lease, Department of Homeland Security, Washington, DC Metropolitan Area", prospectus number PDC-08W03, as submitted on December 24, 2002, is deemed approved by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the date of enactment of this Act.

(b) PROHIBITION ON DELEGATION.—The authority of the General Services Administration to lease space under this section may not be delegated to another department or agency.

(c) MODIFICATIONS.—Any modification to the prospectus referred to in subsection (a)

that is subject to approval under section 3307 of title 40, United States Code, shall be approved in accordance with the requirements of such section.

SEC. 7. Section 126 of Public Law 107-229, as added by Public Law 107-240, is amended to read as follows:

"SEC. 126. Notwithstanding any other provision of this joint resolution, except section 107, the District of Columbia may expend local funds for programs and activities under the heading 'District of Columbia Funds—Operating Expenses' at the rate set forth for such programs and activities in the revised financial plan and budget for the District Government for fiscal year 2003 submitted to Congress by the District of Columbia pursuant to section 138 of H.R. 5521 of the 107th Congress, as reported by the Committee on Appropriations of the House of Representatives."

The SPEAKER pro tempore. Pursuant to House Resolution 15, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, this resolution, H.J. Res. 2, is identical to H.J. Res. 1 except for one thing, and that is the provision that allows the Defense Department the authority to transfer within their own accounts, they cannot go outside of their accounts, but to transfer up to \$2.5 billion within their accounts to fight the war on terrorism, to pay for Enduring Freedom and to do the necessary things to make the security of our Nation happen.

Other than that, it would also become the vehicle, we hope the vehicle, for the final appropriations bill for last year. We plan to conclude all of last year's appropriations bills using this as a vehicle that we will send to the Senate. We hope that they will do the right thing and send it back to us and we will either vote on it or go to conference.

Anyway, that is how we are going to conclude our 107th Congress appropriations business.

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

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Let me simply say that in Wisconsin only cows chew cuds twice, and so we have the same concerns about the consideration of this resolution, but we have already made those concerns quite clear. I see no point in dragging it out.

Let me simply say that with respect to the one difference between this resolution and the previous resolution, on this side of the aisle we agree with the provision that the gentleman is providing. I think it is a constructive provision.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished gentleman, and I am going to