

**Calendar No. 762**

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. J. RES. 124**

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2002

Received

NOVEMBER 14, 2002

Read twice and ordered placed on the calendar

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**JOINT RESOLUTION**

Making further continuing appropriations for the fiscal year  
2003, and for other purposes.

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That Public Law 107–229 is further amended by striking

1 the date specified in section 107(c) and inserting in lieu  
2 thereof “January 11, 2003”.

3 SEC. 2. Section 114 of Public Law 107–229 is  
4 amended—

5 (1) by striking “December 31, 2002” and in-  
6 serting “the date specified in section 107(c) of this  
7 joint resolution”; and

8 (2) by striking the first proviso and inserting  
9 the following: “: *Provided*, That grants and pay-  
10 ments may be made pursuant to this authority at  
11 the beginning of any included quarter or other pe-  
12 riod of fiscal year 2003, for such quarter or other  
13 period, at the level provided for such activities for  
14 the corresponding quarter or other period of fiscal  
15 year 2002”.

16 SEC. 3. Upon determination by the Secretary of  
17 Homeland Security that such action is necessary in the  
18 national interest, he may, with the approval of the Office  
19 of Management and Budget, transfer not to exceed  
20 \$500,000,000 of funds made available to the Department  
21 of Homeland Security and be available for the same pur-  
22 poses, and for the same time period, as the appropriation  
23 or fund to which transferred: *Provided*, That such author-  
24 ity to transfer may not be used unless for higher priority

1 items, based on unforeseen homeland security require-  
2 ments, than those for which originally appropriated and  
3 in no case where the item for which funds are requested  
4 has been denied by the Congress: *Provided further*, That  
5 during fiscal year 2003, the Office of Management and  
6 Budget may transfer not to exceed \$140,000,000 from un-  
7 obligated balances of appropriations enacted prior to Octo-  
8 ber 1, 2002 for organizations and entities that will be  
9 transferred to the new Department for the salaries and  
10 expenses associated with the initiation of the Department:  
11 *Provided further*, That of amounts authorized for transfer  
12 by this section, except as otherwise specifically authorized  
13 by law, not to exceed two percent of any appropriation  
14 available to the Secretary may be transferred between  
15 such appropriations: *Provided further*, That not less than  
16 15 days' notice shall be given to the Committee on Appro-  
17 priations of the Senate and House of Representatives be-  
18 fore any such transfer is made: *Provided further*, That no  
19 part of the funds in this Act shall be available to prepare  
20 or present a request to the Committees on Appropriations  
21 for reprogramming of funds, unless for higher priority  
22 items, based on unforeseen homeland security require-  
23 ments, than those for which originally appropriated and  
24 in no case where the item for which reprogramming is re-  
25 quested has been denied by Congress: *Provided further*,

- 1 That the authority provided in this section shall expire on
- 2 September 30, 2004.

Passed the House of Representatives November 13,  
2002.

Attest:

JEFF TRANDAHL,

*Clerk.*



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