

Chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

FURTHER LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2500, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. WOLF. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2500 in the Committee of the Whole, pursuant to House Resolution 192 and the order of the House of July 17, 2001, each amendment shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment); and amendments numbered 1, 8, 19, 36, 34, 5, 33, 38, 17, 20, 22, 24, 25, 35, 10, 11, and 40 shall be debatable only for 10 minutes, equally divided and controlled by the proponent and an opponent.

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

Mr. SERRANO. Mr. Speaker, reserving my right to object, and I will not object; we certainly worked this out and I am fine with it, this side is fine with it. I just wanted to clarify one point.

This covers, obviously, these amendments; and all other amendments then are still under the 5-minute rule, under the original rule?

Mr. WOLF. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. SERRANO. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 192 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. 2500.

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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.

2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, a request for a recorded vote on Amendment No. 28 by the gentlewoman from New York (Mrs. MALONEY) had been postponed and the bill was open for amendment from page 47, line 20 through page 48, line 9.

Pursuant to the order of the House of today, each amendment shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment); and amendments numbered 1, 8, 19, 36, 34, 5, 33, 38, 17, 20, 22, 24, 25, 35, 10, 11, and 40 shall be debatable only for 10 minutes, equally divided and controlled by a proponent and an opponent.

The Clerk will read.

The Clerk read as follows:

In addition, for expenses related to planning, testing, and implementing the long-form transitional database for the 2010 decennial census, \$65,000,000.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$171,138,000, to remain available until expended: *Provided*, That regarding engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That none of the funds provided in this Act or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$13,048,000, to remain available until expended: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all

funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$43,466,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$2,358,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$15,503,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$3,097,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: *Provided further*, That, notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$846,701,000, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in a final fiscal year 2002 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2002, should the total amount of offsetting fee collections be less than \$846,701,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: *Provided further*, That an