

DEWINE (AND LEVIN) AMENDMENT
NO. 4035

(Ordered to lie on the table.)

Mr. DEWINE (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, H.R. 4733, supra; as follows:

On page 47, strike line 18 and insert the following: \$139,219,000, to remain available until expended, of which \$1,500,000 shall be made available to carry out activities under the John Glenn Great Lakes Basin Program established under section 455 of the Water Resources Development Act of 1999 (42 U.S.C. 1962d-21).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, September 14 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the transportation of Alaska North Slope natural gas to market and to investigate the cost, environmental aspects, economic impacts and energy security implications to Alaska and the rest of the nation for alternative routes and projects.

For further information, please call Dan Kish at (202) 224-8276 or Jo Meuse at (202) 224-4756.

AUTHORITY FOR COMMITTEES TO
MEET

SPECIAL COMMITTEE ON AGING

Mr. CRAIG. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet today, September 5, 2000 from 2:15 p.m.-4:30 p.m. in Dirksen 562 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Robert Griffiths, a legislative fellow in my office, be afforded floor privileges during the consideration of H.R. 4444.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent Pete Lyons, a fellow in my office, and Dave Hunter with Senator JEFFORDS' office, be given privileges of the floor for the duration of the consideration of the energy and water development bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

BREAST CANCER RESEARCH
STAMP REAUTHORIZATION ACT
OF 2000

On July 27, 2000, the Senate amended and passed S. 2386; as follows:

S. 2386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO ISSUE SEMIPOSTAL
STAMPS.

(a) SHORT TITLE.—This Act may be cited as the "Semipostal Act of 2000".

(b) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by striking section 416 (as added by the Semipostal Authorization Act) and inserting the following:

"§ 416. Authority to issue semipostals

"(a) DEFINITIONS.—In this section, the term—

"(1) 'agency' means an Executive agency (as defined by section 105 of title 5);

"(2) 'amounts becoming available from the sale of a semipostal under this section' means—

"(A) the total amounts received by the Postal Service with respect to the applicable semipostal in excess of the first class, first ounce rate, reduced by

"(B) an amount equal to the full costs incurred by the Postal Service from the issuance and sale of the average first class, first ounce rate stamp, plus any additional costs incurred by the Postal Service unique to the issuance of the applicable semipostal; and

"(3) 'semipostal' means a special postage stamp which is issued and sold by the Postal Service, at a premium, in order to help provide funding for an issue of national importance.

"(b) AUTHORITY.—The Postal Service may issue no more than 1 semipostal each year, and sell such semipostals, in accordance with this section.

"(c) RATES.—

"(1) IN GENERAL.—The rate of postage on a semipostal issued under this section shall be established by the Governors, in accordance with such procedures as the Governors shall by regulation promulgate (in lieu of the procedures under chapter 36), except that—

"(A) the rate established for a semipostal under this section shall be equal to the rate of postage that would otherwise regularly apply, plus a differential of not to exceed 25 percent; and

"(B) no regular rates of postage or fees for postal services under chapter 36 shall be any different from what such rates or fees otherwise would have been if this section had not been enacted.

"(2) VOLUNTARY USE.—The use of any semipostal issued under this section shall be voluntary on the part of postal patrons.

"(d) AMOUNTS BECOMING AVAILABLE.—

"(1) IN GENERAL.—The amounts becoming available from the sale of a semipostal under this section shall be transferred to the appropriate agency or agencies under such arrangements as the Postal Service shall by mutual agreement with each such agency establish.

"(2) ISSUES OF NATIONAL IMPORTANCE AND AGENCIES.—Decisions under this section concerning issues of national importance, and the appropriate agency or agencies to receive amounts becoming available under this section, shall be made applying the criteria and procedures established under subsection (f).

"(3) RECOVERY OF COSTS.—

"(A) IN GENERAL.—Not later than 6 months after the date of enactment of the Semipostal Act of 2000, the Postal Service shall establish a system to account for all

revenues and the full costs (including related labor and administrative costs) associated with selecting, developing, marketing, and selling semipostals under this section. The system shall track and account for semipostal revenues and costs separately from the revenues and costs of all other postage stamps.

"(B) PAYMENT.—Before making any payment to any agency under subsection (d)(1), the Postal Service shall recover the full costs incurred by the Postal Service as of the date of such payment.

"(C) MINIMUM COSTS.—The Postal Service shall to the maximum extent practicable keep the costs incurred by the Postal Service in issuing a semipostal to a minimum.

"(4) OTHER FUNDING NOT TO BE AFFECTED.—Amounts which have or may become available from the sale of a semipostal under this section shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished to an agency in any year.

"(e) CONGRESSIONAL REVIEW.—(1) Before the Postal Service can take action with respect to the implementation of a decision to issue a semipostal, the Postal Service shall submit to each House of the Congress a report containing—

"(A) a copy of the decision;

"(B) a concise explanation of the basis for the decision; and

"(C) the proposed effective date of the semipostal.

"(2) Upon receipt of a report submitted under paragraph (1), each House shall provide copies of the report to the chairman and ranking member of the Governmental Affairs Committee in the Senate and the Government Reform Committee in the House.

"(3) The decision of the Postal Service with respect to the implementation of a decision to issue a semipostal shall take effect on the latest of—

"(A) the date occurring 60 days after the date on which the Congress receives the report submitted under paragraph (1);

"(B) if the Congress passes a joint resolution of disapproval described in paragraph 7, and the President signs a veto of such resolution, the earlier date—

"(i) on which either House of Congress votes and fails to override the veto of the President; or

"(ii) occurring 30 session days after the date on which the Congress received the veto and objections of the President; or

"(C) the date the decision would have otherwise been implemented, if not for this section (unless a joint resolution of disapproval under paragraph 7 is enacted).

"(4) Notwithstanding paragraph (3), the decision of the Postal Service with respect to the implementation of a decision to issue a semipostal shall not be delayed by operation of this subsection beyond the date on which either House of Congress votes to reject a joint resolution of disapproval under paragraph 7.

"(5) The Postal Service shall not implement a decision to issue a semipostal if the Congress enacts a joint resolution of disapproval, described under paragraph 7.

"(6) (A) In addition to the opportunity for review otherwise provided under this chapter, in the case of any decision for which a report was submitted in accordance with paragraph (1) during the period beginning on the date occurring 30 days before the date the Congress adjourns a session of Congress through the date on which the same or succeeding Congress first convenes its next session, this section shall apply to such rule in the succeeding session of Congress.

"(B) In applying this section for purposes of such additional review, a decision described under paragraph (1) shall be treated as though—

"(i) the decision were made on—

"(I) in the case of the Senate, the fifth session day, or

"(II) in the case of the House of Representatives, the fifth legislative day,

"after the succeeding session of Congress first convenes; and

"(ii) a report on such role were submitted to Congress under paragraph (1) on such date.

"(7) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in paragraph (1) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the decision of the Postal Service submitted on _____ relating to the issuance of _____

semipostal, and the Postal Service shall take no action to implement such decision.' (The blank spaces being appropriately filled in.).

"(8)(A) A joint resolution described in paragraph (7) shall be referred to the committees in each House of Congress with jurisdiction.

"(B) For purposes of this subsection, the term 'submission date' means the date on which the Congress receives the report submitted under paragraph (1).

"(9) In the Senate, if the committee to which is referred a joint resolution described in paragraph (7) has not reported such joint resolution (or an identical joint resolution) at the end of 20 calendar days after the submission date defined under paragraph (8)(B), such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

"(10)(A) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under paragraph (9)) from further consideration of a joint resolution described in paragraph (7), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

"(B) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

"(C) In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (7), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

"(D) Appeals from the decisions of the Chair relating to the application of the rules

of the Senate to the procedure relating to a joint resolution described in paragraph (7) shall be decided without debate.

"(11) In the Senate the procedure specified in paragraph (9) or (10) shall not apply to the consideration of a joint resolution respecting a Postal Service decision to implement a decision to issue a semipostal—

"(A) after the expiration of the 60 session days beginning with the applicable submission date, or

"(B) if the report under paragraph (1) was submitted during the period referred to in paragraph (6), after the expiration of the 60 session days beginning on the fifth session day after the succeeding session of Congress first convenes.

"(12) If, before the passage by one House of a joint resolution of that House described in paragraph (7), that House receives from the other House a joint resolution described in paragraph (7), then the following procedures shall apply:

"(A) The joint resolution of the other House shall not be referred to a committee.

"(B) With respect to a joint resolution described in paragraph (7) of the House receiving the joint resolution—

"(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(ii) the vote on final passage shall be on the joint resolution of the other House.

"(13) This section is enacted by Congress—

"(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in paragraph (7), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

"(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

"(f) REGULATIONS.—

"(1) IN GENERAL.—Not later than 6 months after the date of enactment of the Semipostal Act of 2000, the Postal Service shall promulgate regulations to carry out this section, including provisions relating to—

"(A) which office or other body within the Postal Service will be responsible for making the decisions described in subsection (d)(2);

"(B) what criteria and procedures will be applied in making those decisions;

"(C) any limitations relating to the issuance of semipostals, such as whether more than 1 semipostal may be offered for sale at any given time; and

"(D) how the price of a semipostal will be established.

"(2) NOTICE AND COMMENT.—Before any regulation is promulgated under this section, a copy of the proposed regulation shall be published in the Federal Register and an opportunity provided to interested parties to present written comment and, where practicable, oral comment.

"(3) ISSUANCE.—The Postal Service shall not issue a semipostal until at least 30 days after the final regulations promulgated under paragraph (1) take effect.

"(g) ANNUAL REPORTS.—

"(1) IN GENERAL.—The Postmaster General shall include in each report rendered under section 2402, with respect to any period during any portion of which this section is in effect, information concerning the operation of any program established under this section.

"(2) SPECIFIC REQUIREMENT.—

"(A) IN GENERAL.—If any semipostal ceases to be offered during the period covered by a report, the information contained in such report shall also include—

"(i) the dates on which the sale of such semipostal commenced and terminated; and

"(ii) the total amount that became available from the sale of such semipostal and any agency to which such amount was made available.

"(B) SEMIPOSTALS THAT CEASE TO BE OFFERED.—For each year before the year in which a semipostal ceases to be offered, any report under this subsection shall include, for that semipostal and for the year covered by that report, the information described under clauses (i) and (ii).

"(h) NO INDIVIDUAL RIGHT CREATED.—This section is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law by any party against the Postal Service, its Governors, officers or employees, the United States, its agencies or instrumentalities, its officers or employees, or any other person.

"(i) INAPPLICABILITY TO BREAST CANCER RESEARCH SPECIAL STAMPS.—This section shall not apply to special postage stamps issued under section 414.

"(j) TERMINATION.—This section shall cease to be effective at the end of the 10-year period beginning on the date on which semipostals are first made available to the public under this section."

(c) REPORTS BY AGENCIES.—

(1) IN GENERAL.—Each agency that receives any funding in a year under section 416 of title 39, United States Code (as amended by this section) shall submit a written report under this subsection with respect to such year to the congressional committees with jurisdiction over the United States Postal Service.

(2) CONTENTS.—Each report under this subsection shall include—

(A) the total amount of funding received by such agency under section 416 of such title during the year to which the report pertains;

(B) an accounting of how any funds received by such agency under section 416 of such title were allocated or otherwise used by such agency in such year; and

(C) a description of the effectiveness in addressing the applicable issue of national importance that occurred as a result of the funding.

(d) REPORTS BY THE GENERAL ACCOUNTING OFFICE.—

(1) INITIAL REPORT.—Not later than 4 months after semipostal stamps are first made available to the public under section 416 of title 39, United States Code (as amended by this section), the General Accounting Office shall submit to the President and each house of Congress an initial report on the operation of the program established under such section.

(2) INTERIM REPORTS.—Not later than the third year, and again not later than the sixth year, after semipostal stamps are first made available to the public under section 416 of title 39, United States Code (as amended by this section), the General Accounting Office shall submit to the President and each house of Congress an interim report on the operation of the program established under such section.

(3) FINAL REPORT.—Not later than 6 months before the date of termination of the effectiveness of section 416 of title 39, United States Code (as amended by this section), the General Accounting Office shall submit to the President and each house of Congress a final report on the operation of the program established under such section. The final report shall contain a detailed statement of the findings and conclusions of the General

Accounting Office, and any recommendation the General Accounting Office considers appropriate.

(e) CONFORMING AMENDMENT.—Section 2 of the Semipostal Authorization Act is amended by striking subsections (b), (c), and (e).

(f) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and the program under section 416 of title 39, United States Code (as amended by this section) shall be established not later than 1 year after the date of enactment of this Act.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces on behalf of the Republican Leader, pursuant to Public Law 105-134, his appointment of Nancy Rutledge Connery, of Maine, to serve as a member of the Amtrak Reform Council, vice Joseph Vranich, of Pennsylvania, effective July 28, 2000.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, reappoints Charles Terrell, of Massachusetts, to the Advisory Committee on Student Financial Assistance for a three-year term beginning October 1, 2000, effective July 28, 2000.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 106-173, announces the appointment of Frank J. Williams, of Rhode Island, to the Abraham Lincoln Bicentennial Commission, effective August 24, 2000.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 106-40, TREATY DOCUMENT NO. 106-41, TREATY DOCUMENT NO. 106-42, TREATY DOCUMENT NO. 106-43, TREATY DOCUMENT NO. 106-44

Mr. DOMENICI. As in executive session, I ask unanimous consent that the Injunction of Secrecy be removed from the following treaties and protocols transmitted to the Senate on September 5, 2000, by the President of the United States:

Treaty with Costa Rica on Return of Vehicles and Aircraft (Treaty Document No. 106-40); Protocol Relating to the Madrid Agreement (Treaty Document 106-41); Investment Treaty with Lithuania (Treaty Document No. 106-42); Protocol Amending the 1950 Consular Convention with Ireland (Treaty Document No. 106-43); Treaty with Panama on the Return of Vehicles and Aircraft (Treaty Document No. 106-44).

I further ask consent that the treaties and protocols be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations

and ordered to be printed; and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Costa Rica for the Return of Stolen, Embezzled, or Appropriated Vehicles and Aircraft, with Annexes and a related exchange of notes, signed at San Jose on July 2, 1999. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of stolen vehicle treaties being negotiated by the United States in order to eliminate the difficulties faced by owners of vehicles that have been stolen and transported across international borders. Like several in this series, this Treaty also covers aircraft. When it enters into force, this Treaty will be an effective tool to facilitate the return of U.S. vehicles and aircraft that have been stolen, embezzled, or appropriated and taken to Costa Rica.

I recommend that the Senate give early and favorable consideration to the Treaty, with Annexes and a related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 5, 2000.

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to accession, the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid June 27, 1989, which entered into force December 1, 1995. Also transmitted for the information of the Senate are the report of the Department of State with respect to the Protocol and a February 2, 2000, letter from the Council of the European Union regarding voting within the Assembly established under the Protocol.

The Protocol will offer several major advantages to U.S. trademark owners. First, registration of trademarks internationally will be possible without obtaining a local agent and without filing an application in each Contracting Party. If the United States accedes to the Protocol, the Protocol will provide a trademark registration filing system that will permit a U.S. trademark owner to file for registration in any number of Contracting Parties by filing a single standardized application in English, and with a single payment in dollars, at the United States Patent and Trademark Office (PTO). The PTO will forward the application to the International Bureau of the World Intellectual Property Organization (respectively, the "International Bureau"

and "WIPO"), which administers the Protocol. Second, under the Protocol, renewal of a trademark registration in each Contracting Party may be made by filing a single request with a single payment. These two advantages should make access to international protection of trademarks more readily available to both large and small U.S. businesses.

Third, the Protocol will facilitate the recording internationally of a change of ownership of a mark with a single filing. United States businesses experience difficulties effecting valid assignments of their marks internationally due to burdensome administrative requirements for recordation of an assignment in many countries. These difficulties can hinder the normal transfer of business assets. The Protocol will permit the holder of an international registration to record the assignment of a trademark in all designated Contracting Parties upon the filing of a single request with the International Bureau, accompanied by a single payment. To carry out the provisions of the Protocol, identical implementing legislation, which is supported by my Administration, was passed by the House of Representatives and introduced in the Senate.

Accession to the Protocol is in the best interests of the United States. Therefore, I recommend the Senate give early and favorable consideration to the Protocol and give its advice and consent to accession, subject to the declarations described in the accompanying report of the Department of State.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 5, 2000.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania for the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Washington on January 14, 1998. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Treaty.

The bilateral investment treaty (BIT) with Lithuania was the third such treaty signed between the United States and a Baltic region country. The Treaty will protect U.S. investment and assist Lithuania in its efforts to develop its economy by creating conditions more favorable for U.S. private investment and thereby strengthening the development of its private sector.

The Treaty furthers the objectives of U.S. policy toward international and domestic investment. A specific tenet of U.S. policy, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive national treatment. Under this Treaty, the Parties also