

Judiciary of the House of Representatives and the Senate a report setting forth with respect to the preceding six-month period—

“(1) the total number of applications made for orders approving requests for records under this title; and

“(2) the total number of such orders either granted, modified, or denied.”.

SEC. 603. CONFORMING AND CLERICAL AMENDMENTS.

(a) **CONFORMING AMENDMENT.**—Section 601 of the Foreign Intelligence Surveillance Act of 1978, as redesignated by section 601(1) of this Act, is amended by striking out “other than title III” and inserting in lieu thereof “other than titles III, IV, and V”.

(b) **CLERICAL AMENDMENT.**—The table of contents at the beginning of the Foreign Intelligence Surveillance Act of 1978 is amended by striking out the items relating to title IV and section 401 and inserting in lieu thereof the following:

“TITLE IV—PEN REGISTERS AND TRAP AND TRACE DEVICES FOR FOREIGN INTELLIGENCE PURPOSES

“401. Definitions.

“402. Pen registers and trap and trace devices for foreign intelligence and international terrorism investigations.

“403. Authorization during emergencies.

“404. Authorization during time of war.

“405. Use of information.

“406. Congressional oversight.

“TITLE V—ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE PURPOSES

“501. Definitions.

“502. Access to certain business records for foreign intelligence and international terrorism investigations.

“503. Congressional oversight.

“TITLE VI—EFFECTIVE DATE

“601. Effective date.”.

The Presiding Officer (Mr. ENZI) appointed:

Mr. SHELBY, Mr. CHAFEE, Mr. LUGAR, Mr. DEWINE, Mr. KYL, Mr. INHOFE, Mr. HATCH, Mr. ROBERTS, Mr. ALLARD, Mr. COATS, Mr. KERREY, Mr. GLENN, Mr. BRYAN, Mr. GRAHAM, Mr. KERRY, Mr. BAUCUS, Mr. ROBB, Mr. LAUTENBERG, Mr. LEVIN, and from the Committee on Armed Services, Mr. THURMOND.

EXECUTIVE SESSION

CONVENTION FOR THE PROTECTION OF PLANTS INTERNATIONAL GRAINS AGREEMENT, 1995

TRADEMARK LAW TREATY WITH REGULATIONS

AMENDMENTS TO THE CONVENTION ON THE INTERNATIONAL MARITIME ORGANIZATION

Mr. LOTT. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider the following treaties on today’s Executive Calendar: Nos. 17, 18, 19, 20.

I further ask unanimous consent the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; all committee provisos, reservations, understandings, declarations be

considered agreed to; that any statements be inserted in the CONGRESSIONAL RECORD as if read; and that the Senate take one vote on the resolutions of ratification to be considered as separate votes; further, when the resolutions of ratification are voted upon, the motion to reconsider be laid upon the table, the President be notified of the Senate’s action, and that following the disposition of these treaties the Senate return to legislative session.

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

Mr. LOTT. Mr. President, I ask for a division vote on the resolutions of ratification.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the resolution will rise and stand until counted.

(After a pause.)

Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification are agreed to.

(The texts of the resolutions of ratification will be printed in a future edition of the RECORD.)

Mr. LOTT. Mr. President, these treaties are the Convention for the Protection of Plants, International Grains Agreement, Trademark Law Treaty with Regulations and Amendments to the Convention of the International Maritime Organization.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

AUTHORITY FOR COMMITTEES TO REPORT

Mr. LOTT. I ask unanimous consent that on Thursday, July 2, committees have from the hours of 11 to 1 p.m. in order to file legislative or executive reported items.

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

REMOVAL OF INJUNCTION OF SECRECY

Mr. LOTT. As in executive session, I ask unanimous consent the injunction of secrecy be removed from the following treaties transmitted to the Senate on June 26, 1998, by the President: Tax Convention with Estonia, Tax Convention with Lithuania, Tax Convention with Latvia.

I further ask that the treaties, having been considered read the first time, be referred with accompanying papers to the Committee on Foreign Affairs be reported and the President’s message 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:

I transmit herewith for Senate advice and consent to ratification the Convention Between the United States of America and the Republic of Estonia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Washington on January 15, 1998. Also transmitted is the report of the Department of State concerning the Convention.

This Convention, which is similar to tax treaties between the United States and OECD nations, provides maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention also provides for resolution of disputes and sets forth rules making its benefits unavailable to residents that are engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Convention and that the Senate give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 26, 1998.

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the Convention Between the United States of America and the Government of the Republic of Lithuania for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Washington on January 15, 1998. Also transmitted is the report of the Department of State concerning the Convention.

This Convention, which is similar to tax treaties between the United States and OECD nations, provides maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention also provides for resolution of disputes and sets forth rules making its benefits unavailable to residents that are engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Convention and that the Senate give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 26, 1998.

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the Convention Between the United States of America and the Republic of Latvia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Washington on January 15, 1998. Also transmitted is the report of the Department of State concerning the Convention.

This Convention, which is similar to tax treaties between the United States and OECD nations, provides maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention also provides for resolution of

disputes and sets forth rules making its benefits unavailable to residents that are engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Convention and that the Senate give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 26, 1998.

ORDER FOR RECORD TO REMAIN OPEN

Mr. LOTT. Mr. President, I ask unanimous consent the RECORD remain open until 3 p.m. today in order for Senators to introduce legislation and statements.

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

COMMENDING THE LIBRARY OF CONGRESS FOR 200 YEARS OF OUTSTANDING SERVICE

Mr. LOTT. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Senate Resolution 255, submitted earlier today by Senators WARNER, FORD, STEVENS, and MOYNIHAN.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 255) to commend the Library of Congress for 200 years of outstanding service to Congress and the Nation, and to encourage activities to commemorate the bicentennial anniversary of the Library of Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. I ask unanimous consent the resolution be agreed, the preamble be agreed to, a motion to consider be laid upon the table, and a statement of explanation appear in the RECORD.

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

The resolution (S. Res. 255) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 255

Whereas the Library of Congress was established in 1800 and will celebrate the 200th anniversary of the Library of Congress in 2000;

Whereas the goal of the bicentennial commemoration is to inspire creativity in the century ahead and ensure a free society through greater use of the Library of Congress and libraries everywhere;

Whereas the bicentennial goal will be achieved through a variety of national, State, and local projects, developed in collaboration with the offices of the Members of Congress, the staff of the Library of Congress, and special advisory committees; and

Whereas the bicentennial commemorative activities include significant acquisitions, symposia, exhibits, issuance of a commemorative coin, and enhanced public access to the collections of the Library of Congress

through the National Digital Library: Now, therefore, be it

Resolved, That the Senate commends the Library of Congress on 200 years of service to Congress and the Nation, and encourages the American public to participate in activities to commemorate the bicentennial anniversary of the Library of Congress.

NEXT GENERATION INTERNET RESEARCH ACT OF 1998

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 334, S. 1609.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1609) to amend the High-Performance Computing Act of 1991 to authorize appropriations for fiscal years 1999 and 2000 for the Next Generation Internet program, to require the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet to monitor and give advice concerning the development and implementation of the Next Generation Internet program and report to the President and the Congress on its activities, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3054

(Purpose: To change the authorization levels for the Department of Defense and the National Aeronautics and Space Administration, and to provide that the FY 1999 DOD authorization is under the National Defense Authorization Act for Fiscal Year 1999)

Mr. LOTT. Senators FRIST and ROCKEFELLER have an amendment at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. FRIST, for himself, and Mr. ROCKEFELLER, proposes an amendment numbered 3054.

Mr. LOTT. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 9, in the matter appearing after line 18—

(1) strike “\$42,500,000” in the column headed FY 1999 and insert “\$40,000,000”;

(2) strike “\$45,000,000” in the column headed FY 2000 and insert “\$42,500,000”;

(3) strike “\$5,000,000” in the column headed FY 1999 the second place it appears and insert “\$10,000,000”;

(4) strike “\$5,000,000” in the column headed FY 2000 and insert “\$10,000,000”;

(5) strike the closing quotation marks at the end of the table; and

(6) after the table insert the following:

The amount authorized for the Department of Defense for fiscal year 1999 under this section shall be the amount authorized pursu-

ant to the National Defense Authorization Act for Fiscal Year 1999.”.

Mr. LOTT. I ask unanimous consent the amendment be considered as read and agreed to.

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

The amendment (No. 3054) was agreed to.

AMENDMENT NO. 3055

(Purpose: To authorize the comprehensive independent study of the effects on trademark and intellectual property rights holders of adding new generic top-level domains and related dispute resolution procedures.)

Mr. LOTT. I ask unanimous consent that the Senate proceed to the consideration of an amendment offered by Senators LEAHY and ASHCROFT, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. LEAHY, for himself, and Mr. ASHCROFT, proposes an amendment numbered 3055.

The amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. ____ STUDY OF EFFECTS ON TRADEMARKS AND INTELLECTUAL PROPERTY RIGHTS OF ADDING GENERIC TOP-LEVEL DOMAINS.

(a) STUDY BY NATIONAL RESEARCH COUNCIL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Commerce shall request the National Research Council of the National Academy of Sciences to conduct a comprehensive study, taking into account the diverse needs of domestic and international Internet users, of the short-term and long-term effects on trademark and intellectual property rights holders of adding new generic top-level domains and related dispute resolution procedures.

(b) MATTERS TO BE ASSESSED IN STUDY.—The study shall assess and, as appropriate, make recommendations for policy, practice, or legislative changes relating to—

(1) the short-term and long-term effects on the protection of trademark and intellectual property rights and consumer interests of increasing or decreasing the number of generic top-level domains;

(2) trademark and intellectual property rights clearance processes for domain names, including—

(A) whether domain name databases should be readily searchable through a common interface to facilitate the clearing of trademarks and intellectual property rights and proposed domain names across a range of generic top-level domains;

(B) the identification of what information from domain name databases should be accessible for the clearing of trademarks and intellectual property rights; and

(C) whether generic top-level domain registrants should be required to provide certain information;

(3) domain name trademark and intellectual property rights dispute resolution mechanisms, including how to—

(A) reduce trademark and intellectual property rights conflicts associated with the addition of any new generic top-level domains; and

(B) reduce trademark and intellectual property rights conflicts through new technical approaches to Internet addressing;

(4) choice of law or jurisdiction for resolution of trademark and intellectual property