

ADDITIONAL COSPONSORS

S. 1137

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1137, a bill to amend section 258 of the Communications Act of 1934 to establish additional protections against the unauthorized change of subscribers from one telecommunications carrier to another.

S. 1326

At the request of Mr. DASCHLE, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1326, a bill to amend title XIX of the Social Security Act to provide for medicaid coverage of all certified nurse practitioners and clinical nurse specialists services.

S. 1720

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1720, a bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

S. 1881

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1881, a bill to amend title 49, United States Code, relating to the installation of emergency locator transmitters on aircraft.

S. 2013

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2013, a bill to amend title XIX of the Social Security Act to permit children covered under private health insurance under a State children's health insurance plan to continue to be eligible for benefits under the vaccine for children program.

S. 2024

At the request of Mr. ASHCROFT, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2024, a bill to increase the penalties for trafficking in methamphetamine in order to equalize those penalties with the penalties for trafficking in crack cocaine.

S. 2119

At the request of Mr. STEVENS, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2119, a bill to amend the Amateur Sports Act to strengthen provisions protecting the right of athletes to compete, recognize the Paralympics and growth of disabled sports, improve the U.S. Olympic Committee's ability to resolve certain disputes, and for other purposes.

S. 2213

At the request of Mr. FRIST, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2213, a bill to allow all States to participate in activities under the Education Flexibility Partnership Demonstration Act.

S. 2217

At the request of Mr. FRIST, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2217, a bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 2364

At the request of Mr. CHAFEE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2364, a bill to reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965.

S. 2520

At the request of Mr. MOYNIHAN, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 2520, a bill to exclude from Federal taxation any portion of any reward paid to David R. Kaczynski and Linda E. Patrik which is donated to the victims in the Unabomber case or their families or which is used to pay Mr. Kaczynski's and Ms. Patrik's attorneys' fees.

SENATE CONCURRENT RESOLUTION 83

At the request of Mr. WARNER, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of Senate Concurrent Resolution 83, a concurrent resolution remembering the life of George Washington and his contributions to the Nation.

SENATE CONCURRENT RESOLUTION 108

At the request of Mr. DORGAN, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Washington (Mrs. MURRAY), and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of Senate Concurrent Resolution 108, a concurrent resolution recognizing the 50th anniversary of the National Heart, Lung, and Blood Institute, and for other purposes.

SENATE CONCURRENT RESOLUTION 121

At the request of Mr. SPECTER, the names of the Senator from Ohio (Mr. GLENN), the Senator from Illinois (Mr. DURBIN), the Senator from Georgia (Mr. COVERDELL), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of Senate Concurrent Resolution 121, a concurrent resolution expressing the sense of Congress that the President should take all necessary measures to respond to the increase in steel imports resulting from the financial crises in Asia, the independent States of the former Soviet Union, Russia, and other areas of the world, and for other purposes.

SENATE RESOLUTION 264

At the request of Mrs. MURRAY, the name of the Senator from Arkansas (Mr. BUMPERS) was added as a cosponsor of Senate Resolution 264, a resolution to designate October 8, 1998 as the Day of Concern About Young People and Gun Violence.

AMENDMENT NO. 3722

At the request of Mr. MCCAIN the names of the Senator from New Hampshire (Mr. GREGG) and the Senator

from Connecticut (Mr. LIEBERMAN) were added as cosponsors of Amendment No. 3722 intended to be proposed to S. 442, a bill to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, and for other purposes.

SENATE CONCURRENT RESOLUTION 124—EXPRESSING THE SENSE OF CONGRESS ON INTELLECTUAL PROPERTY PROTECTION

Mr. LAUTENBERG (for himself, Mr. HATCH, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELMS, Mrs. BOXER, Mr. BINGAMAN, and Mr. MACK) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 124

Whereas intellectual property-dependent industries include businesses that depend on protection of trademarks, trade secrets, trade names, copyrights, and patents;

Whereas intellectual property-dependent industries have become primary drivers of the United States economy, contributing over \$500,000,000,000 to the United States economy in 1997;

Whereas the foreign sales and exports of United States intellectual property-dependent goods totaled at least \$100,000,000,000 in 1997, exceeded sales of every other industrial sector, and helped the United States balance of trade;

Whereas international piracy of United States intellectual property, which the Department of Commerce estimates costs United States companies nearly \$50,000,000,000 annually, poses the greatest threat to the continued success of United States intellectual property-dependent industries;

Whereas goods from many developing countries receive preferential duty treatment under the Generalized System of Preferences even though those countries do not protect intellectual property rights of United States persons;

Whereas piracy of United States intellectual property is so rampant in some developing countries that receive benefits under the Generalized System of Preferences that it effectively prevents United States intellectual property-dependent industries from selling products in those countries;

Whereas the Agreement on Trade-Related Aspects of Intellectual Property Rights requires its signatories to provide a minimum of essential protections to the intellectual property of citizens from all signatory nations;

Whereas the United States has fully implemented its obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights, and in fact in many cases offers stronger protection of intellectual property rights than required in the Agreement;

Whereas it appears that at the current rate many developing countries that receive benefits under the Generalized System of Preferences may not be in compliance with their obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights on January 1, 2000, as required; and

Whereas many of the developing countries that receive benefits under the Generalized System of Preferences and that are not on track in complying with their obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights are responsible for substantial trade losses suffered by United States intellectual property-dependent industries: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring). That it is the sense of Congress that—

(1) the United States should not give special trade preferences to goods originating from a country that does not adequately and effectively protect United States intellectual property rights, particularly a developing country that has not met its obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights by January 1, 2000;

(2) Congress should monitor the progress of developing countries in meeting their obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights by January 1, 2000; and

(3) Congress should consider legislation that would deny the benefits of the Generalized System of Preferences to developing countries that are not in compliance with their obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights beginning on January 1, 2000.

● Mr. LAUTENBERG. Mr. President, today I submit a resolution expressing the sense of the Congress that the United States should not extend preferential duty-free treatment on products to countries who do not comply with their treaty obligations regarding the protection of intellectual property.

The United States leads the world in the production of intellectual property. Intellectual property-based industries, including those that rely on patents, copyrights, trademarks, trade secrets, and trade names, contribute over \$500 billion annually to the U.S. economy. However, the current global reach of information is making it much easier for pirates to gain access to intellectual property. It is vitally important that we take adequate steps to discourage, and ultimately prevent, other nations from allowing the rampant piracy of the work of Americans.

Members of the World Trade Organization signed an agreement on Trade-Related aspects of Intellectual Property Rights, or TRIPS, in 1995. That agreement establishes minimum standards of intellectual property protection and requires the signatory developing nations to be compliant with their TRIPS obligations by January 1, 2000. Regardless of this, piracy continues in GSP beneficiary nations and around the world, costing the U.S. intellectual property-dependent industries approximately \$50 billion a year.

The United States has recognized the importance of protecting American intellectual property and encouraging the growth of its related industries. The Administration has actively pressed other nations to engage in adequate protections, particularly through the use of the Special 301 "watch" list. However, this is not enough. We need to do more to remove the incentives for piracy. Linking GSP benefits to TRIPS

obligations is an important first step, and a powerful way to send a clear message to these and other nations that there is a price to pay for continuing to permit rampant piracy of American-made products.

Mr. President, this sense of the Congress does send an important message to these countries that the United States is watching, and that legislation to implement the denial of duty-free treatment is imminent unless they take the necessary steps to respect and protect the intellectual capital of Americans.

At this point, Mr. President, I ask unanimous consent that letters in support of this resolution be inserted into the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

INTERNATIONAL INTELLECTUAL
PROPERTY ALLIANCE,

Washington, DC, October 1, 1998.

Hon. ORRIN HATCH,

U.S. Senate, Russell Senate Office Building,
Washington, DC.

Hon. FRANK LAUTENBERG,

U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATORS HATCH AND LAUTENBERG: On behalf of the International Intellectual Property Alliance and its members (listed below), we convey our strong support for your "Sense of the Congress" resolution designed to warn developing countries around the world that they cannot expect preferential trade benefits under the Generalized System of Preferences (GSP) program while, at the same time, condoning the theft of U.S. intellectual property (in our case, movies, business and entertainment software, music and sound recording, and books and journals—products protected by copyright laws).

Your resolution rightly sets, as the minimum standard of IP protection, the TRIPS agreement negotiated during the Uruguay Round and set to go into effect for most developing countries on January 1, 2000. It warns these countries that they must bring their statutory laws and, most importantly, their enforcement systems into compliance with those standards if they expect to receive these trade benefits. While the current GSP provisions give the President discretion to deny such benefits where U.S. intellectual property is inadequately protected, we welcome the message you are sending—that the Congress will consider tougher legislation which would increase the risk of these benefits being denied if these countries do not bring their IPR regimes into compliance with their international obligations.

Piracy levels in developing countries often hover at or above 90% of the marketplace. Rates at these levels simply deny our copyright-based industries the ability to enter and survive in many of these markets effectively. In total, IIPA estimates that the copyright industries lose over \$20 billion to piracy worldwide, with a significant portion of this loss coming from developing countries. IIPA and the Administration have been working diligently to lower these piracy levels and global losses and to a great extent we have achieved success in obtaining improved legislation, the first step in this process. Now we face the challenge of improving enforcement systems and we welcome your resolution in the fight to meet this next objective.

We also applaud the resolution's acknowledgment of the importance of the intellectual property industries to the U.S. economy

and to our international trade. As we announced last May before Senator Hatch's Judiciary Committee, the copyright industries accounted for \$278.4 billion in value added to the U.S. economy, or approximately 3.65% of the Gross Domestic Product (GDP) in 1996 (the last year for which complete data is available). With respect to employment and job growth, the core copyright industries grew at more than twice the annual growth rate of the U.S. economy as a whole between 1977 and 1996 (5.5% vs. 2.6%). Employment in the core copyright industries grew at nearly three times the employment growth in the economy as a whole between 1977 and 1996 (4.6% vs. 1.6%). More than 6.5 million workers were employed by the total copyright industries in 1996, about 5.15% of the total U.S. work force. In 1996, the core copyright industries achieved foreign sales and exports of \$60.18 billion, a 13% gain over the \$53.25 billion generated in 1995, for the first time leading all major industry sectors including agriculture, automobiles and auto parts and the aircraft industry. In the future, the copyright industries will assume ever greater importance to revenue growth, job creation and international trade. Your resolution is right on target to ensure that these industries continue to remain healthy and vibrant.

Thank you for your attention to these important matters. Again, the nearly 1,400 companies represented by IIPA members strongly support this resolution.

Sincerely,

ERIC H. SMITH,
President.

INTELLECTUAL PROPERTY COMMITTEE,
Washington, DC, October 1, 1998.

Hon. FRANK R. LAUTENBERG

U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR LAUTENBERG: The Intellectual Property Committee (IPC), whose members represent the broad spectrum of private sector intellectual property interests, strongly endorses the concurrent resolution on worldwide intellectual property protection that you are about to introduce.

The concurrent resolution demonstrates a clear understanding that strong worldwide protection of U.S. intellectual property is critical to the continued competitiveness of U.S. industry and to our nation's ability to create good jobs here in the United States. The intellectual property (TRIPS) agreement, which developing country members of the World Trade Organization (WTO) will be required to implement on January 1, 2000, provides international standards of protection and enforcement across a broad range of intellectual property elements.

The concurrent resolution expresses the sense of Congress that the United States should not give special trade preferences, under the U.S. Generalized System of Preferences (GSP), to goods originating from countries that will have failed to meet their obligations on January 1, 2000 under the TRIPS Agreement. It also expresses the sense of Congress that Congress should consider legislation that would deny GSP benefits to developing countries that will not be in compliance with their TRIPS obligations beginning on January 1, 2000.

Through such linkage, your concurrent resolution and the legislation that it envisages will provide the United States with the leverage necessary to ensure that GSP-beneficiary countries will live up to their WTO obligations. (These countries have had a five year transition period to comply with their WTO intellectual property obligations; the transition period will expire as of January 1, 2000.) In the absence of this type of leverage, the United States will face real difficulty in achieving the critical goal of improved

worldwide intellectual property protection in a timely manner. In addition, your concurrent resolution will underscore the importance of adequate and effective intellectual property protection in stimulating economic growth in GSP-beneficiary countries, which will lead to expanded export opportunities for U.S. goods and services.

The IPC commends your continued efforts on behalf of strong intellectual property protection and economic growth in the United States.

Sincerely,

CHARLES S. LEVY,

Counsel.

JACQUES J. GORLIN,

Director.

INTERACTIVE DIGITAL
SOFTWARE ASSOCIATION,
Washington, DC, October 1, 1998.

Hon. ORRIN HATCH,

U.S. Senate, Russell Office Building, Washington, DC.

Hon. FRANK LAUTENBERG,

U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATORS HATCH AND LAUTENBERG: I write to thank you for your leadership on the issue of protecting intellectual property, and in particular to express the support of the Interactive Digital Software Association (IDSA), which represents the United States entertainment software publishers, for your decision to introduce a "Sense of the Congress" resolution on this issue. The IDSA believe this resolution will provide developing nations an incentive to meet pre-existing obligations to offer adequate and effective protection to intellectual property rights (IPR), and in particular to take all necessary steps to implement the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement.) Because the United States leads the world in intellectual property production and experiences a tremendous positive balance of trade in this area, better global protection for IPR will directly benefit the United States economy.

Piracy of intellectual property is a severe problem for U.S. industries. In 1997, the U.S. entertainment software industry, which had revenues of \$5.6 billion in the United States, experienced global piracy losses of approximately \$3.2 billion (not including online piracy losses.) Perhaps more troubling, \$894 million of those losses occurred in developing nations that receive special trade preference from the U.S. under the Generalized Systems of Preferences (GSP) program. As a result, the U.S. provides special trade preferences to the goods of nations whose inadequate protection for IPR effectively bars many U.S. companies from doing business therein.

Piracy losses in GSP beneficiary nations continue to mount though many of these nations have signed the TRIPs Agreement and are required to meet its obligations by January 1, 2000. In fact, many of these nations have yet to begin the long process of passing legislation to implement the TRIPs Agreement, much less to demonstrate a willingness to enforce such laws once enacted. Due to this lack of progress, it appears that the vast majority of developing nations will not be in full compliance with the TRIPs Agreement as required on January 1, 2000.

Your resolution will, in a variety of ways, help to address the problem of inadequate protection for IPR rights by developing nations. Your resolution will send a powerful message that the United States Congress places a high priority on global IPR protection. By expressing a congressional willingness to deny GSP benefits to nations that do not meet their TRIPs Agreement obligations, your resolution will provide develop-

ing nations a powerful incentive to get serious about TRIPs Agreement implementation. Furthermore, your resolution will supplement and support the efforts of the United States Government, particularly the Office of the United States Trade Representative (USTR), and United States intellectual property owners to convince developing nations to provide at least the minimum of IPR protection required under the TRIPs Agreement.

Therefore, I again express the full support of the IDSA for your resolution, and offer any assistance we may provide in seeing this resolution to passage.

Sincerely,

DOUG LOWENSTEIN,

President.

PHARMACEUTICAL RESEARCH AND
MANUFACTURERS OF AMERICA,
Washington, DC, October 6, 1998.

Hon. FRANK LAUTENBERG,

U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: I am writing to express PhRMA's support for the Concurrent Resolution regarding GSP and intellectual property you are introducing today. The denial of intellectual property rights protection abroad is one of the American research-based pharmaceutical industry's most serious challenges. Billions of dollars are lost annually to patent pirates in such countries as Argentina, India, Egypt, and many others.

By withholding GSP privileges from countries that refuse to respect the intellectual property rights of American biomedical inventors, your Resolution sends an important signal to the world trading community. American foreign trade policy is based on the fundamental principle of reciprocity, and denial of intellectual property rights is, in fact, a de facto denial of market access since the innovator cannot enjoy the limited period of marketing exclusivity granted by a patent. Since many pirating countries on the one hand deny market access to American companies, but on the other hand enjoy not only market access but GSP treatment on trade with the United States, your Resolution is quite appropriate and necessary.

PhRMA is pleased to offer its support for the Concurrent Resolution expressing the sense of the Senate that GSP benefits should be withheld from developing countries that violate American intellectual property rights.

Respectfully,

BARRY H. CALDWELL,

Vice President.

AMENDMENTS SUBMITTED

READING EXCELLENCE ACT

JEFFORDS AMENDMENT NO. 3740

Mr. JEFFORDS proposed an amendment to the bill (H.R. 2614) to improve the reading and literacy skills of children and families by improving in-service instructional practices for teachers who teach reading, to stimulate the development of more high-quality family literacy programs, to support extended learning-time opportunities for children, to ensure that children can read well and independently not later than third grade, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reading Excellence Act".

TITLE I—READING AND LITERACY GRANTS

SEC. 101. AMENDMENT TO ESEA FOR READING AND LITERACY GRANTS.

(a) IN GENERAL.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by redesignating parts C and D as parts D and E, respectively; and

(2) by inserting after part B the following:

"PART C—READING AND LITERACY GRANTS

"SEC. 2251. PURPOSES.

"The purposes of this part are as follows:

"(1) To provide children with the readiness skills they need to learn to read once they enter school.

"(2) To teach every child to read in the child's early childhood years—

"(A) as soon as the child is ready to read; or

"(B) as soon as possible once the child enters school, but not later than 3d grade.

"(3) To improve the reading skills of students, and the instructional practices for current teachers (and, as appropriate, other instructional staff) who teach reading, through the use of findings from scientifically based reading research, including findings relating to phonemic awareness, systematic phonics, fluency, and reading comprehension.

"(4) To expand the number of high-quality family literacy programs.

"(5) To provide early literacy intervention to children who are experiencing reading difficulties in order to reduce the number of children who are incorrectly identified as a child with a disability and inappropriately referred to special education.

"SEC. 2252. DEFINITIONS.

"For purposes of this part:

"(1) ELIGIBLE PROFESSIONAL DEVELOPMENT PROVIDER.—The term 'eligible professional development provider' means a provider of professional development in reading instruction to teachers that is based on scientifically based reading research.

"(2) FAMILY LITERACY SERVICES.—The term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:

"(A) Interactive literacy activities between parents and their children.

"(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

"(C) Parent literacy training that leads to economic self-sufficiency.

"(D) An age-appropriate education to prepare children for success in school and life experiences.

"(3) INSTRUCTIONAL STAFF.—The term 'instructional staff'—

"(A) means individuals who have responsibility for teaching children to read; and

"(B) includes principals, teachers, supervisors of instruction, librarians, library school media specialists, teachers of academic subjects other than reading, and other individuals who have responsibility for assisting children to learn to read.

"(4) READING.—The term 'reading' means a complex system of deriving meaning from print that requires all of the following:

"(A) The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.

"(B) The ability to decode unfamiliar words.

"(C) The ability to read fluently.