

“(2) any right under the trademark laws or any right protected against unfair competition.

“§ 1331. Administrator; Office of the Administrator

“In this chapter, the ‘Administrator’ is the Register of Copyrights, and the ‘Office of the Administrator’ and the ‘Office’ refer to the Copyright Office of the Library of Congress.

“§ 1332. No retroactive effect

“Protection under this chapter shall not be available for any design that has been made public under section 1310(b) before the effective date of this chapter.”.

SEC. 503. CONFORMING AMENDMENTS.

(a) TABLE OF CHAPTERS.—The table of chapters for title 17, United States Code, is amended by adding at the end the following:

“13. Protection of Original Designs 1301”.

(b) JURISDICTION OF DISTRICT COURTS OVER DESIGN ACTIONS.—(1) Section 1338(c) of title 28, United States Code, is amended by inserting “, and to exclusive rights in designs under chapter 13 of title 17,” after “title 17”.

(2)(A) The section heading for section 1338 of title 28, United States Code, is amended by inserting “designs,” after “mask works,”.

(B) The item relating to section 1338 in the table of sections at the beginning of chapter 85 of title 28, United States Code, is amended by inserting “designs,” after “mask works,”.

(c) PLACE FOR BRINGING DESIGN ACTIONS.—(1) Section 1400(a) of title 28, United States Code, is amended by inserting “or designs” after “mask works”.

(2) The section heading for section 1400 of title 28, United States Code is amended to read as follows:

“§ Patents and copyrights, mask works, and designs”.

(3) The item relating to section 1400 in the table of sections at the beginning of chapter 87 of title 28, United States Code, is amended to read as follows:

“1400. Patents and copyrights, mask works, and designs.”.

(d) ACTIONS AGAINST THE UNITED STATES.—Section 1498(e) of title 28, United States Code, is amended by inserting “, and to exclusive rights in designs under chapter 13 of title 17,” after “title 17”.

SEC. 504. JOINT STUDY OF THE EFFECT OF THIS TITLE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and not later than 2 years after such date of enactment, the Register of Copyrights and the Commissioner of Patents and Trademarks shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a joint report evaluating the effect of the amendments made by this title.

(b) ELEMENTS FOR CONSIDERATION.—In carrying out subsection (a), the Register of Copyrights and the Commissioner of Patents and Trademarks shall consider—

(1) the extent to which the amendments made by this title has been effective in suppressing infringement of the design of vessel hulls;

(2) the extent to which the registration provided for in chapter 13 of title 17, United States Code, as added by this title, has been utilized;

(3) the extent to which the creation of new designs of vessel hulls have been encouraged by the amendments made by this title;

(4) the effect, if any, of the amendments made by this title on the price of vessels with hulls protected under such amendments; and

(5) such other considerations as the Register and the Commissioner may deem relevant to accomplish the purposes of the evaluation conducted under subsection (a).

SEC. 505. EFFECTIVE DATE.

The amendments made by sections 502 and 503 shall take effect on the date of the enactment of this Act and shall remain in effect until the end of the 2-year period beginning on such date of enactment. No cause of action based on chapter 13 of title 17, United States Code, as added by this title, may be filed after the end of that 2-year period.

Amend the title so as to read: “A bill to amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty, and for other purposes.”.

And the Senate agree to the same.

From the Committee on Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

TOM BLILEY,
BILLY TAUZIN,
JOHN D. DINGELL,

From the Committee on the Judiciary, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

HENRY J. HYDE,
HOWARD COBLE,
BOB GOODLATTE,
JOHN CONYERS, Jr.,
HOWARD L. BERMAN,

Managers on the Part of the House.

ORRIN G. HATCH,
STROM THURMOND,
PATRICK J. LEAHY,

Managers on the Part of the Senate.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. COBLE and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said conference report?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said conference report was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said conference report was agreed to was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

¶109.23 NOTICE—CONSIDERATION OF RESOLUTION—QUESTION OF PRIVILEGES

Mr. TRAFICANT, pursuant to clause 2(a)(1) of rule IX, announced his intention to call up the following resolution as a question of the privileges of the House:

In accordance with House rule IX, clause 1, expressing the sense of the House that its integrity has been impugned because the anti-dumping provisions of the Trade and Tariff Act of 1930, Subtitle B of Title VII, have not been expeditiously enforced: Now, therefore, be it

Resolved by the House of Representatives that the House of Representatives calls upon the President to:

(1) Immediately review for a period of 10 days the entry into the customs territory of the United States of hot-rolled steel products or plate steel products that are the

product or manufacture of Japan, Russia, or Brazil;

(2) If, after the above-reference review period, the President finds that the governments of Japan, Russia, or Brazil are not abiding by the spirit and letter of international trade agreements with respect to dumping, the President shall immediately impose a one-year ban on imports of hot-rolled steel products and plate steel products that are the product or manufacture of Japan, Russia or Brazil;

(3) Establish a task force within the Executive Branch to closely monitor U.S. imports of steel from other countries to determine whether or not international trade agreements are being violated with respect to dumping; and,

(4) Report to the Congress by no later than January 5, 1999, on any other actions the Executive Branch has taken or intends to take to ensure that all of the trading partners of the United States abide by the spirit and letter of international trade agreements with respect to the import into the United States of steel products.

The SPEAKER pro tempore, Mrs. EMERSON, responded to the foregoing notice, and said:

“Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Chair within two legislative days of the resolution being properly noticed.

“Pending that designation, the form of the resolution noticed by the gentleman from Ohio will appear in the Record at this point.

“The Chair’s will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated by the Chair for consideration of the resolution.”.

¶109.24 TAX RELIEF TO FARMERS AND SMALL BUSINESSES

Mr. ARCHER moved to suspend the rules and pass the bill (H.R. 4738) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, provide tax relief for farmers and small businesses, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. ARCHER and Mr. RANGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ARCHER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate in said bill.

¶109.25 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, an-

nounced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 134. Joint Resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

¶109.26 RESPONSE TO SIGNIFICANT INCREASE OF STEEL IMPORTS

Mr. ARCHER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 350):

Whereas the current financial crises in Asia, Russia, and other regions have involved massive depreciation in the currencies of several key steel-producing and steel consuming countries, along with a collapse in the domestic demand for steel in these countries;

Whereas the crises have generated and will continue to generate significant increases in United States imports of steel, both from the countries whose currencies have depreciated in the crisis and from steel producing countries that are no longer able to export steel to the countries in economic crisis;

Whereas United States imports of finished steel mill products from Asian steel producing countries—the People's Republic of China, Japan, Korea, India, Taiwan, Indonesia, Thailand, and Malaysia—have increased by over 70 percent in the first 5 months of 1998 compared to the same period in 1997;

Whereas year-to-date imports of steel from Russia now exceed the record import levels of 1997, and steel imports from Russia and Ukraine now approach 2,500,000 metric tons;

Whereas foreign government trade restrictions and private restraints of trade distort international trade and investment patterns and result in burdens on United States commerce, including absorption of a disproportionate share of diverted steel trade;

Whereas the European Union, for example, despite also being a major economy, in 1997 imported only one-tenth as much finished steel products from Asian steel producing countries as the United States did and has restricted imports of steel from the Commonwealth of Independent States, including Russia;

Whereas the United States is simultaneously facing a substantial increase in steel imports from countries within the Commonwealth of Independent States, including Russia, caused in part by the closure of Asian markets; and

Whereas many would recognize that there may be a need to determine if there should be improvements in the enforcement of United States trade laws to provide an effective response to such situations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress calls upon the President to—

(1) pursue vigorous enforcement of United States trade laws relating to unfair trade practices with respect to the significant increase of steel imports into the United States, using all remedies available under all those laws;

(2) pursue consultations with officials of Japan, Korea, the European Union, and other nations to eliminate import barriers that affect steel mill products and to increase access to their markets;

(3) closely monitor United States imports of steel and make the data gathered from such monitoring available to the public as soon as possible; and

(4) report to the Congress by no later than January 5, 1999, on the impact that the significant increase in steel imports is having on employment, prices, and investment in the United States steel industry.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. ARCHER and Mr. VISCLOSKEY, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. BLUNT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ENGLISH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BLUNT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶109.27 H.R. 3494—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BLUNT, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 3494) to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. BLUNT, announced that two-thirds of those present had voted in the affirmative.

Mr. ENGLISH objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

It was decided in the affirmative	Yeas	400	Nays	0
			Answered	2
			present	

¶109.28 [Roll No. 521] YEAS—400

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehler

Boehner
Bonilla
Bonior
Bono
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement

Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon

Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kind (WI)

King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northrup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn

Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Ventzo
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilson