

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 2458. A bill to amend the Act entitled "An Act to provide for the creation of the Morristown National Historical Park in the State of New Jersey, and for other purposes" to authorize the acquisition of property known as the "Warren Property"; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 2459. A bill for the relief of Paul G. Finnerty and Nancy Finnerty of Scranton, Pennsylvania; to the Committee on Labor and Human Resources.

By Mr. LEVIN (for himself and Mr. DURBIN):

S. 2460. A bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. CRAIG, Mr. CAMPBELL, and Mr. BURNS):

S. Res. 275. A resolution expressing the sense of the Senate that October 11, 1998, should be designated as "National Children's Day"; to the Committee on the Judiciary.

By Mr. SPECTER:

S. Con. Res. 116. A concurrent resolution concerning the New Tribes Mission hostage crisis; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE:

S. 2455. A bill to amend the Railroad Retirement Act of 1974 to prevent the canceling of annuities to certain divorced spouses of workers whose widows elect to receive lump sum payments; to the Committee on Labor and Human Resources.

RAILROAD RETIREMENT AMENDMENT ACT OF 1998

Mr. DASCHLE. Mr. President, today I am introducing legislation on behalf of Valoris Carlson of Aberdeen, SD, and the handful of others like her whose lives have been terribly disrupted. This legislation will right a wrong that was not due to any error or deception on Valoris' part, but due to an administrative error by the Railroad Retirement Board [RRB]. In addition, the majority of the Board supports the amendment.

In 1984 Valoris, as the divorced spouse of a deceased railroad employee, applied for a tier I survivor's annuity. The RRB failed to check if a lump sum withdrawal had previously been made on the account at the time of her former spouse's death—even though Valoris clearly stated on her application that there was a surviving widow. In fact, a lump sum payment had been made, but not identified. The RRB began paying Valoris \$587 per month in 1984 and continued to pay her benefits

for 11 years. In 1994 the RRB discovered that an error had been made over a decade ago.

Subsequently, Valoris was told she was not eligible for the pension she was awarded in 1984. Had the RRB thoroughly reviewed their records, they would have seen that a lump-sum payment had been made on that account. Valoris, who was married for 26 years, lost her eligibility to the widow of the railroad worker who had been married to him for only 3 years. Valoris made an honest application for benefits. The RRB made an error, resulting in 11 years of "overpayments" to Valoris.

These payments affected Valoris' planning for the future. Valoris planned her retirement on that modest sum of \$587. Had she been told she was not eligible for benefits, she would have worked longer to build up her own Social Security benefits. Her railroad divorced widow's benefit has been her only steady income. She has picked up a few dollars here and there by renting out rooms in her home, but without her monthly benefit income, Valoris has had a terrible time struggling to make ends meet.

The bill I am introducing today will address the errors made by the RRB that have disrupted the life of Valoris Carlson and others like her. The RRB advises that 15 other widows are similarly situated, and their pensions would also be restored by this bill.

The bill, which was developed with technical assistance from the RRB, would allow the 16 women impacted by the RRB's administrative error to begin receiving their monthly benefits again. It requires them to repay the lump sum, but they are allowed to do so through a modest withholding from their monthly benefit. The RRB could waive the monthly withholding if it would cause excessive hardship for a widow.

According to the RRB, the costs of this legislation would be negligible for scoring purposes.

Mr. President, I will work to enact this legislation as quickly as possible to restore the benefits to those women who are now suffering as a result of the Government's mistakes. It has been four years since these women have lost their retirement income. There is no excuse for further delay in providing these Americans with benefits they were led to expect by the RRB.

Mr. President, I ask that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2455

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Railroad Retirement Amendment Act of 1998".

SEC. 2. PROTECTION OF DIVORCED SPOUSES.

(a) IN GENERAL.—Section 6(c) of the Railroad Retirement Act of 1974 (45 U.S.C. 231e(c)) is amended—

(1) in the last sentence of paragraph (1), by inserting "(other than to a survivor in the circumstances described in paragraph (3))" after "no further benefits shall be paid"; and

(2) by adding at the end the following:

"(3) Notwithstanding the last sentence of paragraph (1), benefits shall be paid to a survivor who—

"(A) is a divorced wife; and

"(B) through administrative error received benefits otherwise precluded by the making of a lump sum payment under this section to a widow;

if that divorced wife makes an election to repay to the Board the lump sum payment. The Board may withhold up to 10 percent of each benefit amount paid after the date of the enactment of this paragraph toward such reimbursement. The Board may waive such repayment to the extent the Board determines it would cause an unjust financial hardship for the beneficiary."

(b) APPLICATION OF AMENDMENT.—The amendment made by this section shall apply with respect to any benefits paid before the date of enactment of this Act as well as to benefits payable on or after the date of the enactment of this Act.

By Mr. GORTON (for himself and Mrs. MURRAY):

S. 2457. A bill to make technical correction to the Columbia River Gorge National Scenic Area Act of 1986; to the Committee on Energy and Natural Resources.

COLUMBIA RIVER GORGE BOUNDARY ADJUSTMENT ACT

● Mr. GORTON. Mr. President, it gives me great pleasure today to introduce legislation which will correct a long-standing technical error to the Columbia River Gorge National Scenic Area Act of 1986.

As those who were around this body over a decade ago remember, the Columbia Gorge Act was a highly complicated and contentious piece of legislation. A great number of impacted citizens made substantial sacrifices to see that this Act which was intended to protect one of the most pristine and magnificent natural resources anywhere in America could become law. Because of the detailed nature and the sometimes convoluted process established under this Act, it is not surprising that a mistake along the lines of what my bill today intends to correct could happen. My legislation simply makes a technical correction to the Gorge Act by excluding approximately 29 acres of land owned by the Port of Camas-Washougal. This area was inadvertently included within the southwestern boundary of the Columbia River Gorge National Scenic Area 12 years ago.

Mr. President, ever since the establishment of the National Scenic Area, the Port of Camas-Washougal has been diligent in its efforts to prove that a small portion of its property was unintentionally included in the Scenic Area. In fact, even before the Gorge Act became law, the Port was successful in getting legislation passed that established the Steigerwald Lake National Wildlife Refuge and reserved 80 acres of this area for its own purposes.

Unfortunately, two years later, Congress in its infinite wisdom located the

southwest boundary of the Columbia Gorge National Scenic Area so that approximately 19 of the 80 reserved acres and 10 acres of Port-owned land were included in the National Scenic Area. The legislation I am offering today would exclude these 29 acres under question as Congress had originally intended.

I touched earlier on the Port's diligence in seeing this process through to its completion. Whether it be working with the Washington State Congressional delegation, getting approval from the Columbia Gorge Commission, or convincing originally skeptical segments of the local community, the Port's efforts are proof positive that persistence pays off when it comes to resolving complicated and contentious problems. It also helps to have the facts on your side. And clearly that is what the Port has been demonstrating over the past 12 years.

One concern that was raised in discussions with representatives of a number of interested parties throughout the local southwestern Washington community was the possibility that legislation making a technical boundary change might set a dangerous precedent in which other less deserving boundary change proposals are cavalierly enacted into law. Because of these concerns, I have included a provision in my bill stating in no uncertain terms that is not the intent of this legislation to set a precedent regarding adjustment or amendment of any boundaries of the National Scenic Area or any other provisions of the Columbia River Gorge National Scenic Area Act.

While the Gorge Act remains controversial within some sectors of my state and is by no means perfect, this legislation represents a special case where it has been clearly proven that the intent of Congress was not being carried out and the enabling statute needed correction. Any further proposals to change boundaries or revisions to the '86 Act will have to stand on their own merits and pass a similar test.

In addition to the Port of Camas-Washougal, I also want to commend representatives of the Columbia Gorge Commission and the Friends of the Gorge for working together with the Port to develop a reasonable solution to this mistake. I also want to thank my two colleagues, Senator MURRAY and Congresswomen SMITH, both of whom also have the pleasure of representing this beautiful area, for their support in this effort. While my legislation is not intended to set any legislative precedents, I do hope the positive process by which it was developed will foster further consensus building efforts throughout the local community.●

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 2458. A bill to amend the Act entitled "An Act to provide for the creation of the Morristown National Historical Park in the State of New Jer-

sey, and for other purposes" to authorize the acquisition of property known as the "Warren Property"; to the Committee on Energy and Natural Resources.

MORRISTOWN NATIONAL HISTORICAL PARK LEGISLATION

Mr. TORRICELLI. Mr. President, today with Senator LAUTENBERG I introduce legislation to preserve land on which our nation was forged. During the harsh winter of 1779-1780 the Continental Army, and its leader, General George Washington camped at Morristown, New Jersey.

Washington chose Morristown for its logistical, geographical, and topographical advantages and also because of its close proximity to British-occupied New York City. Washington and his men encountered great hardships here, as the winter of 1779 was the worst winter here in over 100 years.

When soldiers first arrived at Morristown, they had no choice but to sleep out in the open snow as it took most about two to three weeks to build wooden huts to hold groups of a dozen men. The last of the Continental Army, however, did not move into the huts until the middle of February, and conditions were so bad that many soldiers stole regularly to eat, deserted, or mutinied. Only the leadership of General Washington held the Continental Army intact, enabling him to plot the strategy for the coming spring that would turn the tide of the war.

Through the preservation of this site, we honor the men who served at Morristown and fought for our independence. And more than that, we preserve the best classroom imaginable to understand how our nation was born.

Recognizing the importance of this site, Congress created the Morristown National Historical Park in 1933, the first historical national park in the National Park System.

In the years since the establishment of the park, however, New Jersey has undergone a revolution of another sort: from Garden State to Suburban State. In 1959, there were 15,000 farms in New Jersey covering 1.4 million acres. Today, there are 9,000 farms on 847,000 acres, a 40% decrease. In New Jersey, as much as 10,000 acres of rural land is being developed every year.

North-central New Jersey and the area around the park has not been spared from this development. Much of the private land adjacent to the park has been subdivided and developed for residential use. Many of these residences are visible from park areas, altering the rural character of the park and diminishing the visitor's experience of the park's historic landscape.

The legislation we are introducing today will help preserve the natural environment of the Park by authorizing the Park Service to expand the boundary of the park to include the 15-acre Warren property on Mt. Kemble Ridge. Specifically, our legislation authorizes the Secretary of the Interior to acquire through purchase, purchase with appropriated funds, or donation, the Warren Property. This acquisition will pre-

vent this land, where patriots made their camp during the winter of 1779-1780, from being re-zoned and subdivided for residential development.

The National Park Service strongly supports this legislation. NPS Deputy Director, Denis Galvin, recently testified in support of legislation to acquire the Warren Property before a House National Parks and Public Lands Subcommittee hearing on March 26, 1998. This important parcel of land has been classified as "desirable for acquisition" by the National Park Service since 1976.

In addition, the property's owner, Jim Warren, is a willing seller and interested in seeing the property preserved as part of Morristown National Historical Park. Acquisition of the Warren Property for inclusion in the park would ensure that the character of the park's historic landscape is not further degraded.

Unfortunately, there are historic sites in my home state of New Jersey and across our country that need to be preserved. It is my hope that through this effort, the Morristown National Historical Park and sites like it across the country will be preserved for generations to come so that the history of our country and its guiding principles will remain alive in the hearts of all Americans.

● Mr. LAUTENBERG. Mr. President, today I wanted to announce that I am cosponsoring legislation authorizing the National Park Service to acquire and add lands to the Morristown National Historical Park. The Morristown National Historical Park is an important Revolutionary War site and this bill would authorize the Park Service to acquire lands from a willing seller to prevent the encroachment of modern residential and commercial development in an effort to preserve the visitor's experience of the park's historic landscape and enable the park to retain its rural character.

The Morristown National Historical Park was established in 1933 and hosts approximately 550,000 visitors a year. The park preserves the sites that were occupied by General George Washington and the Continental Army during this critical period where he held together, during desperate times, the small, ragged army that represented the country's main hope for independence. General Washington chose the area for its logistical, geographical, and topographical military advantages, in addition to its proximity to New York City, which was occupied by the British in 1779. The site proposed for acquisition would be a 15 acre parcel near the Jockey Hollow Encampment Area of the park and prevent further degradation of the parks vistas.

I invite my colleagues to join me in support of this legislation which will ensure that an important historical site for New Jersey and the nation is protected.●

By Mr. SPECTER:

S. 2459. A bill for the relief of Paul G. Finnerty and Nancy Finnerty of Scranton, Pennsylvania; to the Committee on Labor and Human Resources.

PRIVATE RELIEF LEGISLATION

• Mr. SPECTER. Mr. President, although it is late in the session, I am introducing legislation to rectify a problem facing one of my constituents, Mr. Paul Finnerty of Scranton, and his wife concerning his federal retirement benefits. It is necessary for Congress to become involved in this case because Mr. Finnerty has exhausted administrative relief and lost an estoppel claim in the 3rd Circuit Federal Court of Appeals, which ruled that "regardless of the possibility of agency error in this case, we have no authority over the disbursement of funds that has been assigned by the Constitution to Congress alone."

I am advised that Mr. Finnerty and his wife are entitled to employee and spousal annuities based on his more than 30 years in the railroad industry. They were misinformed by federal employees as to the actual retirement benefits they would receive and relied to their detriment on the higher figure in deciding that Mr. Finnerty should retire in 1993. Specifically, there is documentation which reflects the failure of the Scranton Field Office of the Railroad Retirement Board to advise Mr. Finnerty appropriately regarding the impact of a statutory maximum of \$1200/month in retirement benefits if he remained in the federal CSRS pension system instead of switching into the FERS system. I have enclosed an example of such documentation for the RECORD.

While the private relief legislation is a last resort used sparingly by the Congress, the Finnertys have provided enough documentation to suggest that their request merits careful review by the Labor Committee, which has jurisdiction over such bills. Accordingly, I am introducing this bill today to begin that review process.

Mr. President, I ask unanimous consent that a Railroad Retirement Board letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
RAILROAD RETIREMENT BOARD,
Chicago, IL, September 26, 1994.

Hon. JOSEPH M. MCDADE,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN MCDADE: Your letter on behalf of Mr. Paul G. Finnerty has been forwarded to me for reply.

Upon investigation of the circumstances described by Mr. Finnerty in his letter dated August 20, 1994, to you, I have determined that our Scranton field office repeatedly overestimated the amount of railroad retirement benefits that Mr. Finnerty could expect to receive upon his retirement. I regret this mistake.

The Scranton field office failed to consider the effect of the railroad retirement maximum provision of the Railroad Retirement Act of 1974 each time they furnished an estimate to Mr. Finnerty.

The railroad retirement maximum provision limits the total amount of railroad retirement benefits payable to an employee and spouse at the time the employee's annuity begins to a maximum based on the highest 2 years of creditable railroad retirement or social security covered earnings in the 10-year period ending with the year the employee's annuity begins. Since Mr. Finnerty's Federal employment for the previous 10 years was covered under the Civil Service Retirement System, his railroad retirement maximum amount could not be based on the highest 2 years of creditable railroad retirement or social security covered earnings. Therefore, Mr. Finnerty's railroad retirement maximum amount is set at the statutory limit of \$1,200 in accordance with section 4(c) of the Railroad Retirement Act.

Unfortunately, the effect of the railroad retirement maximum in Mr. Finnerty's case is the reduction of the tier II component to zero in both the employee and spouse annuity. Since the Scranton field office included a tier II amount in the employee and spouse annuity computation, an overestimate of benefits resulted.

I sincerely regret any problems we have caused Mr. Finnerty. We strive to furnish the best service possible to our beneficiaries. When seeking our assistance during the important time of planning for retirement, our beneficiaries certainly have a right to expect that accurate annuity estimates are provided. Although we have failed Mr. Finnerty in that regard, the Scranton field manager has counseled his staff to consider the effect of the railroad retirement maximum provision when calculating estimates in the future. We will continue to stress the importance of accurate service to the public and, in an effort to prevent future mistakes, will issue a reminder to all field employees on this issue.

I am sorry a more favorable response cannot be made in regard to your constituent as we are required to pay benefits according to the law. If you need further information, please do not hesitate to contact us.

Sincerely,

KENNETH P. BOEHNE,
Director of Administration and Operations.●

By Mr. LEVIN (for himself and Mr. DURBIN):

S. 2460. A bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes; to the Committee on Governmental Affairs.

THE DECEPTIVE MAILING ELIMINATION ACT OF
1998

• Mr. LEVIN. Mr. President, today I am introducing a bill that, if enacted, will go a long way toward eliminating deceptive practices in mailings that use games of chance like sweepstakes to induce consumers to purchase a product or waste their money by paying to play a game they will not win. The use of gimmicks in these contests, such as a large notice declaring the recipient a winner—oftentimes a "guaranteed" winner or one of two final competitors for a large cash prize—has proliferated to the point that American consumers are being duped into purchasing products they don't want or need because they think they have won or will win a big prize if they do so. Complaints about these mailings are

one of the top ten consumer complaints in the nation. I have received numerous complaints from my constituents in Michigan asking that something be done to provide relief from these mailings.

Earlier this month we held a hearing in our Governmental Affairs Committee federal services subcommittee on the problem of deceptive sweepstakes and other mailings involving games of chance. We learned from three of our witnesses, the Florida Attorney General, the Michigan Assistant Attorney General and the Postal Inspection Service, that senior citizens are particular targets of these deceptive solicitations, because they are the most vulnerable. State Attorneys General have taken action against many of the companies that use deceptive mailings. The states have entered into agreements to stop the most egregious practices, but the agreements apply only to the states that enter into the agreements. This allows companies to continue their deceptive practices in other states. That's why federal legislation in this area is needed. The bill I'm introducing today will eliminate deceptive practices by prohibiting misleading statements, requiring more disclosure, imposing a \$10,000 civil penalty for each deceptive mailing and providing the Postal Service with additional tools to pursue deceptive and fraudulent offenders.

Sweepstakes solicitations are put together by teams of clever marketers who package their sweepstakes offers in such a way so as to get people to purchase a product by implying that the chances of winning are enhanced if the product being offered is purchased. Rules and important disclaimers are written in fine print and hidden away in obscure sections of the solicitation or on the back of the envelope that is frequently tossed away. Even when one reads the rules, it frequently takes a law degree to understand them.

The bill I am introducing will protect consumers from deceptive practices by directing the Postal Service to develop and issue regulations that restrict the use of language and symbols on direct mail game of chance solicitations, including sweepstakes, that mislead the receiver into believing they have won, or will win a prize. The bill also requires additional disclosure about chances of winning and the statement that no purchase is necessary. Any mail that is designated by the Postal Service as being deceptive will not be delivered. This will significantly reduce if not eliminate the deceptive practices being used in the direct mail industry to dupe unsuspecting consumers into thinking they are grand prize winners. The direct mail industry should benefit as a result. The adverse publicity recently aimed at the industry because of "You Have Won a Prize" campaigns has malign the industry as a whole. Cleaning up deceptive advertising will certainly improve the industry's image.

For those entities that continue to use deceptive mailings, my bill imposes a civil penalty of \$10,000 for each offense that violates Postal Service regulations. Currently the Postal Service can impose a \$10,000 daily fine for evading or not complying with a Postal Service order. My bill imposes a fine concurrent with issuing an order. This has the effect of applying the penalty to the deceptive offense, not for non-compliance of the order.

My bill allows the Postal Service to quickly respond to changes in deceptive marketing practices by tasking them to draft regulations and language that will be effective against the "scheme du jour." A deceptive practice used today, may not be used tomorrow. As soon as authorities learn about one scheme, it's changes. If legislation is passed that requires a specific notice, it won't be too long before another deceptive practice will pop up to by-pass the legislation. The Postal Service, who is in the business of knowing what is going on with the mails, will be able to evaluate what regulatory changes will be required to keep pace with deceptive practices. This will ensure that deceptive practices are weeded out in a timely manner by keeping regulations current.

The bill also gives the Postal Service administrative subpoena power to respond more quickly to deceptive and fraudulent mail schemes. Currently the Postal Service must go through a lengthy administrative procedure before it can get evidence to shut down illegal operations. By the time they get through all the administrative hoops, the crook has folded up operations and disappeared, or has destroyed all the evidence. By granting the Postal Service limited subpoena authority to obtain relevant or material records for an investigation, the Postal Service will be able to act more efficiently against illegal activities. Subpoena authority will make the Postal Service more effective and efficient in its pursuit of justice.

The Deceptive Sweepstakes Mailings Elimination Act of 1998 takes a tough approach to dealing with sweepstakes solicitations and other games of chance offerings that are sent through the mail. If you use sweepstakes or a game of chance to promote the sale of a product and provide adequate disclosure and abide with Postal Service regulations, then the Postal Service will deliver that solicitation. If deceptive practices are used in a sweepstakes or a game of chance solicitation, then the Postal Service will be able to stop the solicitation, and impose a significant penalty.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2460

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

SECTION 1. DECEPTIVE GAMES OF CHANCE MAILINGS ELIMINATION.

(a) SHORT TITLE.—This Act may be cited as the "Deceptive Games of Chance Mailings Elimination Act of 1998".

(b) NONMAILABLE MATTER.—

(1) IN GENERAL.—Section 3001 of title 39, United States Code, is amended—

(A) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(B) by inserting after subsection (i) the following:

"(j)(1) Matter otherwise legally acceptable in the mails that constitutes a solicitation or offer in connection with the sales promotion for a product or service or the promotion of a game of skill that includes the chance or opportunity to win anything of value and that contains words or symbols that suggest the recipient will, or is likely to, receive anything of value, shall conform with requirements prescribed in regulations issued by the Postmaster General.

"(2) Matter not in conformance with the regulations prescribed under paragraph (1) shall not be carried or delivered by mail and shall be disposed of as the Postal Service directs.

"(3) Regulations prescribed under paragraph (1) shall require, at a minimum, that—

"(A) promotion of games of chance mailings contain notification or disclosure statements, with sufficiently large and noticeable type to be effective notice to recipients that—

"(i) any recipient is not obligated to purchase a product in order to win;

"(ii) sets out the chances of winning accurately; and

"(iii) advises that purchases do not enhance the recipient's chances of winning;

"(B) games of chance mailings shall be clearly labeled to—

"(i) identify such mailings as games of chance mailings; and

"(ii) prohibit misleading statements representing that recipients are guaranteed winners; and

"(C) solicitations in games of chance mailings may not represent that the recipient is a member of a selected group whose chances of winning are enhanced as a member of that group."

(2) FALSE REPRESENTATIONS.—Section 3005(a) of title 39, United States Code, is amended—

(A) in the first sentence by striking "section 3001 (d), (h), or (i)" and inserting "section 3001 (d), (h), (i), or (j)"; and

(B) in the second sentence by striking "section 3001 (d), (h), or (i)" and inserting "section 3001 (d), (h), (i), or (j)".

(c) ADMINISTRATIVE SUBPOENAS.—

(1) IN GENERAL.—Chapter 30 of title 39, United States Code, is amended by adding at the end the following:

"§ 3016. Administrative subpoenas

"(a) AUTHORIZATION OF USE OF SUBPOENAS BY POSTMASTER GENERAL.—In any investigation conducted under this chapter, the Postmaster General may require by subpoena the production of any records (including books, papers, documents, and other tangible things which constitute or contain evidence) which the Postmaster General finds relevant or material to the investigation.

"(b) SERVICE.—(1) A subpoena issued under this section may be served by a person designated under section 3061 of title 18 at any place within the territorial jurisdiction of any court of the United States.

"(2) Any such subpoena may be served upon any person who is not to be found within the territorial jurisdiction of any court of the United States, in such manner as the Federal Rules of Civil Procedure prescribe for service in a foreign country. To the ex-

tent that the courts of the United States may assert jurisdiction over such person consistent with due process, the United States District Court for the District of Columbia shall have the same jurisdiction to take any action respecting compliance with this section by such person that such court would have if such person were personally within the jurisdiction of such court.

"(3) Service of any such subpoena may be made by a Postal Inspector upon a partnership, corporation, association, or other legal entity by—

"(A) delivering a duly executed copy thereof to any partner, executive officer, managing agent, or general agent thereof, or to any agent thereof authorized by appointment or by law to receive service of process on behalf of such partnership, corporation, association, or entity;

"(B) delivering a duly executed copy thereof to the principal office or place of business of the partnership, corporation, association, or entity; or

"(C) depositing such copy in the United States mails, by registered or certified mail, return receipt requested, duly addressed to such partnership, corporation, association, or entity at its principal office or place of business.

"(4) Service of any subpoena may be made upon any natural person by—

"(A) delivering a duly executed copy to the person to be served; or

"(B) depositing such copy in the United States mails by registered or certified mail, return receipt requested, duly addressed to such person at his residence or principal office or place of business.

"(5) A verified return by the individual serving any such subpoena setting forth the matter of such service shall be proof of such service. In the case of service by registered or certified mail, such return shall be accompanied by the return post office receipt of delivery of such subpoena.

"(c) ENFORCEMENT.—(1) Whenever any person, partnership, corporation, association, or entity fails to comply with any subpoena duly served upon him, the Postmaster General may request that the Attorney General seek enforcement of the subpoena in the district court of the United States for any judicial district in which such person resides, is found, or transacts business, and serve upon such person a petition for an order of such court for the enforcement of this section.

"(2) Whenever any petition is filed in any district court of the United States under this section, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be required to carry into effect the provisions of this section. Any final order entered shall be subject to appeal under section 1291 of title 28. Any disobedience of any final order entered under this section by any court shall be punished as contempt.

"(d) DISCLOSURE.—Any documentary material provided pursuant to any subpoena issued under this section shall be exempt from disclosure under section 552 of title 5."

(2) REGULATIONS.—Not later than 180 days after the date of enactment of this section, the Postal Service shall promulgate regulations setting out the procedures the Postal Service will use to implement this subsection.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 30 of title 39, United States Code, is amended by adding at the end the following:

"3016. Administrative subpoenas."

(d) ADMINISTRATIVE CIVIL PENALTIES FOR NONMAILABLE MATTER VIOLATIONS.—Section 3012 of title 39, United States Code, is amended by adding at the end the following:

“(e)(1) In any proceeding in which the Postal Service issues an order under section 3005(a), the Postal Service may assess civil penalties in an amount of \$10,000 per violation for each mailing of nonmailable matter as defined under any provision of this chapter.

“(2) The Postal Service shall prescribe regulations to carry out the subsection.” •

ADDITIONAL COSPONSORS

S. 356

At the request of Mr. GRAHAM, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 356, a bill to amend the Internal Revenue Code of 1986, the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the title XVIII and XIX of the Social Security Act to assure access to emergency medical services under group health plans, health insurance coverage, and the medicare and medicaid programs.

S. 358

At the request of Mr. DEWINE, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 472

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 472, a bill to provide for referenda in which the residents of Puerto Rico may express democratically their preferences regarding the political status of the territory, and for other purposes.

S. 1981

At the request of Mr. HUTCHINSON, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1981, a bill to preserve the balance of rights between employers, employees, and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act.

S. 1993

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1993, a bill to amend title XVIII of the Social Security Act to adjust the formula used to determine costs limits for home health agencies under the medicare program, and for other purposes.

S. 2017

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 2017, a bill to amend title XIX of the Social Security Act to provide medical assistance for breast and cervical cancer-related treatment services to certain women screened and found to have breast or cervical cancer under a Federally funded screening program.

S. 2145

At the request of Mr. SHELBY, the names of the Senator from Utah (Mr. BENNETT), the Senator from Kentucky (Mr. FORD), and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2145, a bill to modernize the requirements under the National Manufactured Housing Construction and Safety Standards Act of 1974 and to establish a balanced consensus process for the development, revision, and interpretation of Federal construction and safety standards for manufactured homes.

S. 2165

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2165, a bill to amend title 31 of the United States Code to improve methods for preventing financial crimes, and for other purposes.

S. 2180

At the request of Mr. LOTT, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Tennessee (Mr. FRIST), the Senator from Tennessee (Mr. THOMPSON), the Senator from Arkansas (Mr. BUMBERS), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 2180, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions.

S. 2181

At the request of Mr. AKAKA, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2181, a bill to amend section 3702 of title 38, United States Code, to make permanent the eligibility of former members of the Selected Reserve for veterans housing loans.

S. 2263

At the request of Mr. GORTON, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of S. 2263, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Institutes of Health with respect to research on autism.

S. 2295

At the request of Mr. MCCAIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2295, a bill to amend the Older Americans Act of 1965 to extend the authorizations of appropriations for that Act, and for other purposes.

S. 2296

At the request of Mr. MACK, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2296, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the amount of receipts attributable to military property which may be treated as exempt foreign trade income.

S. 2323

At the request of Mr. GRASSLEY, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2323, a bill to amend title XVIII of the Social Security Act to preserve access to home health services under the medicare program.

S. 2364

At the request of Mr. CHAFEE, the name of the Senator from Kentucky (Mr. FORD) 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. 2432

At the request of Mr. JEFFORDS, the names of the Senator from Minnesota (Mr. WELLSTONE), the Senator from Virginia (Mr. WARNER), and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 2432, a bill to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

S. 2433

At the request of Mr. D'AMATO, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 2433, a bill to protect consumers and financial institutions by preventing personal financial information from being obtained from financial institutions under false pretenses.

S. 2448

At the request of Mr. KERRY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2448, a bill to amend title V of the Small Business Investment Act of 1958, relating to public policy goals and real estate appraisals, to amend section 7(a) of the Small Business Act, relating to interest rates and real estate appraisals, and to amend section 7(m) of the Small Business Act with respect to the loan loss reserve requirements for intermediaries, and for other purposes.

S. 2454

At the request of Mr. MCCONNELL, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 2454, a bill to provide for competition between forms of motor vehicle insurance, to permit an owner of a motor vehicle to choose the most appropriate form of insurance for that person, to guarantee affordable premiums, to provide for more adequate and timely compensation for accident victims, and for other purposes.

SENATE RESOLUTION 259

At the request of Mr. THURMOND, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of Senate Resolution 259, a resolution designating the week beginning September 20, 1998, as "National Historically Black Colleges and Universities Week," and for other purposes.

SENATE RESOLUTION 264

At the request of Mrs. MURRAY, the names of the Senator from Colorado