

economist and a physician. He is a member of the President's Council of Economic Advisers and he is also a major advisor on health policy to the President today. He was an associate professor of economics and medicine at Stanford University. He also served as deputy assistant secretary in the Department of Treasury. And, best of all, he received his medical degree, his doctorate in economics, and his master's degree in public health at Harvard and MIT.

This nomination to a major public health position is long overdue. Dr. McClellan has the training, the experience, and the stature to serve as the head of the country's most important public health regulatory agency—an agency that serves as the gold standard for the rest of the world.

FDA's mission is to protect the public health. Its mission affects more than a quarter of every dollar spent in the U.S. economy. The products that it regulates—food, drugs, biologics, devices supplements and cosmetics—affect public health and safety every day.

The agency also has a long and distinguished history of serving the public interest. It has a proud tradition of promoting the public interest ahead of special interests. It is an agency of skilled professionals who set high standards and demand excellence from the industries it regulates.

In this time of extraordinary medical breakthroughs and as new threats to public health arise, the FDA faces enormous challenges. The American people increasingly depend on the FDA to safeguard public health. Now is not the time for FDA to retreat from these challenges, or surrender its authority over public health.

Dr. McClellan has been nominated to a position of great responsibility. I believe he will make a fine commissioner, one who will help lead the agency into the 21st century.

PROTOCOL RELATING TO THE MADRID AGREEMENT—TREATY DOCUMENT NO. 106-41

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 1, the protocol relating to the Madrid agreement; that the protocol be considered as having advanced through its parliamentary stages up to and including the presentation of the resolution for ratification, and that the understandings, declarations and conditions be agreed to, and that the Senate now vote on the resolution of ratification.

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

The question is on agreeing to the resolution.

All those in favor of the resolution will rise and stand until counted. (After a pause.) Those opposed will rise and stand until counted.

In the opinion of the Chair, two-thirds of the Senators present and hav-

ing voted in the affirmative, the resolution is agreed to.

The resolution of ratification read as follows:

Resolved (two-thirds of the Senators present concurring therein),

SECTION 1. ADVICE AND CONSENT TO ACCESSION TO THE MADRID PROTOCOL, SUBJECT TO AN UNDERSTANDING, DECLARATIONS, AND CONDITIONS.

The Senate advises and consents to the accession by the United States to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on June 27, 1989, entered into force on December 1, 1995 (Treaty Doc. 106-41; in this resolution referred to as the "Protocol"), subject to the understanding in section 2, the declarations in section 3, and the conditions in section 4.

SEC. 2. UNDERSTANDING.

The advice and consent of the Senate under section 1 is subject to the understanding, which shall be included in the United States instrument of accession to the Protocol, that no secretariat is established by the Protocol and that nothing in the Protocol obligates the United States to appropriate funds for the purpose of establishing a permanent secretariat at any time.

SEC. 3. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) NOT SELF-EXECUTING.—The United States declares that the Protocol is not self-executing.

(2) TIME LIMIT FOR REFUSAL NOTIFICATION.—Pursuant to Article 5(2)(b) of the Protocol, the United States declares that, for international registrations made under the Protocol, the time limit referred to in subparagraph (a) of Article 5(2) is replaced by 18 months. The declaration in this paragraph shall be included in the United States instrument of accession.

(3) NOTIFYING REFUSAL OF PROTECTION.—Pursuant to Article 5(2)(c) of the Protocol, the United States declares that, when a refusal of protection may result from an opposition to the granting of protection, such refusal may be notified to the International Bureau after the expiry of the 18-month time limit. The declaration in this paragraph shall be included in the United States instrument of accession.

(4) FEES.—Pursuant to Article 8(7)(a) of the Protocol, the United States declares that, in connection with each international registration in which it is mentioned under Article 3ter of the Protocol, and in connection with each renewal of any such international registration, the United States chooses to receive, instead of a share in revenue produced by the supplementary and complementary fees, an individual fee the amount of which shall be the current application or renewal fee charged by the United States Patent and Trademark Office to a domestic applicant or registrant of such a mark. The declaration in this paragraph shall be included in the United States instrument of accession.

SEC. 4. CONDITIONS.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) TREATY INTERPRETATION.—The Senate reaffirms condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990 (adopted at Vienna on May 31, 1996), approved by the Senate on May 14, 1997 (relating to condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988).

(2) NOTIFICATION OF THE SENATE OF CERTAIN EUROPEAN COMMUNITY VOTES.—The President shall notify the Senate not later than 15 days after any nonconsensus vote of the European Community, its member states, and the United States within the Assembly of the Madrid Union in which the total number of votes cast by the European Community and its member states exceeded the number of member states of the European Community.

Mr. REID. Mr. President, I ask unanimous consent that any statements relating thereto be printed in the RECORD.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate now return to legislative session.

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

MORNING BUSINESS

Mr. REID. We are in morning business, is that correct?

The PRESIDING OFFICER. The Senator is correct.

U.S. EFFORTS IN POST-CONFLICT IRAQ

Mr. DASCHLE. Mr. President, early last Friday morning, the Senate acted on the President's request to grant him authority to use force in Iraq. I joined with a majority of my colleagues from both sides of the aisle to support the resolution granting that authority, but made clear then and continue to believe now that our vote was the first step in our effort to address the threat posed by Iraq's weapons of mass destruction. In my statement before that vote, I indicated the President faces several challenges as he attempts to fashion a policy that will be successful in our efforts against Saddam Hussein and his weapons of mass destruction.

One of those challenges is preparing for what might happen in Iraq after Saddam Hussein and preparing the American people for what might be required of us on this score. To that end, I was interested to see an article in Friday morning's newspaper with the title, "U.S. Has a Plan to Occupy Iraq, Officials Report."

Citing unnamed administration officials, the article contends the administration is modeling plans for the economic and political reconstruction of Iraq on the successful efforts in post-WWII Japan. The article goes on to report that the Administration has yet to endorse a final position and this issue had not been discussed with key American allies. When questioned at a press conference Friday afternoon, the White House spokesperson distanced himself from this specific plan.

If this news account is true, I have no choice but to conclude this administration has much to do before it will be in position to present a plan to the American people and the world about what