

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

Docket No. R2000-1

NOTICE OF THE UNITED STATES POSTAL SERVICE
REGARDING THE INTRODUCTION OF LEGISLATION POTENTIALLY
AFFECTING THE RATES FOR PREFERRED RATE MAIL
(June 12, 2000)

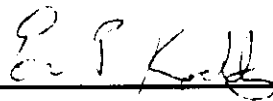
During the Prehearing Conference on February 16th, the Presiding Officer requested that the Postal Service promptly make available a copy of any draft legislation introduced in Congress that potentially could affect the legislative scheme by which rates for preferred rate mail are established. Tr. 1/55-56. On June 7, 2000, S.2686 was introduced by Senators Cochran and Akaka. Pursuant to the Presiding Officer's request, copies of the June 7th Congressional Record pages that reproduce the bill (S4669-70) are attached to this notice.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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they be confirmed subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. HELMS, Mr. President, for the Committee on Foreign Relations, I report favorably nomination lists which were printed in the RECORDS of the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning Craig B. Allen and ending Daniel E. Harris, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 7, 2000.

Foreign Service nominations beginning C. Franklin Foster, Jr. and ending Michael Patrick Glover, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 7, 2000.

Foreign Service nominations beginning Leslie O'Connor and ending David P. Lambert, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 11, 2000.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself, Mr. ASHCROFT, and Mr. ABRAHAM):

S. 2685. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the production, sale, and use of highly-efficient, advanced technology motor vehicles and to amend the Energy Policy Act of 1992 to undertake an assessment of the relative effectiveness of current and potential methods to further encourage the development of the most fuel efficient vehicles for use in interstate commerce in the United States; to the Committee on Finance.

By Mr. COCHRAN (for himself and Mr. AKAKA):

S. 2686. A bill to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SMITH of New Hampshire:

S. 2687. A bill regarding the sale and transfer of Moskit anti-ship missiles by the Russian Federation; to the Committee on Foreign Relations.

By Mr. INOUE (for himself, Mr. AKAKA, Mr. COCHRAN, Mr. DODD, Mr. KENNEDY, Mrs. MURRAY, and Mr. SCHUMER):

S. 2688. A bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes; to the Committee on Indian Affairs.

By Ms. LANDRIEU:

S. 2689. A bill to authorize the President to award a gold medal on behalf of Congress to Andrew Jackson Higgins (posthumously), and to the D-day Museum in recognition of the contributions of Higgins Industries and the more than 30,000 employees of Higgins Industries to the Nation and to world peace during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY (for himself, Mr. SMITH of Oregon, Ms. COLLINS, Mr. LEVIN, Mr. JEFFORDS, Mr. FEINGOLD, Mr. MOYNIHAN, Mr. AKAKA, Mr. KERREY, and Mr. WELLSTONE):

S. 2690. A bill to reduce the risk that innocent persons may be executed, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 2691. A bill to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI (for herself, Mr. KENNEDY, and Mr. DURBIN):

S. 2692. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of imported products, and for other purposes; to the Committee on Health Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. LANDRIEU:

S. Res. 317. A resolution expressing the sense of the Senate to congratulate and thank the members of the United States Armed Forces who participated in the June 6, 1944, D-Day invasion of Europe for forever changing the course of history by helping bring an end to World War II; to the Committee Armed Services.

By Ms. SNOWE (for herself, Mr. SMITH of New Hampshire, Mr. GREGG, Ms. COLLINS, Mr. WARNER, Mr. ROBB, Mr. SESSIONS, Mr. LEVIN, and Mr. KENNEDY):

S. Res. 318. A resolution honoring the 129 sailors and civilians lost aboard the U.S.S. Thresher (SSN 593) on April 10, 1963; extending the gratitude of the Nation for their last, full measure of devotion; and acknowledging the contributions of the Naval Submarine Service and the Portsmouth Naval Shipyard to the defense of the Nation; considered and agreed to.

By Mr. ROBB (for himself, Mr. REID, and Mr. KENNEDY):

S. Con. Res. 120. A concurrent resolution to express the sense of Congress regarding the need to pass legislation to increase penalties on perpetrators of hate crimes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COCHRAN (for himself and Mr. AKAKA):

S. 2686. A bill to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes; to the Committee on Governmental Affairs.

LEGISLATION TO IMPROVE THE PROCESS FOR ESTABLISHING NONPROFIT POSTAGE RATES

Mr. COCHRAN. Mr. President, today I am introducing a bill to improve the process used by the United States Postal Service to establish postage rates for nonprofit and other reduced-rate mailers.

Under the current rate setting procedure, nonprofit postage rates have changed significantly, often rising

more than corresponding commercial rates. In fact, in some cases, nonprofit mail rates have increased so much that the nonprofit rates are higher than similar commercial rates. According to the Postal Service, the unpredictable rate changes experienced by nonprofit mailers stem from difficulties the Service has had with gathering accurate cost data for small subclasses of mail.

By establishing a structured relationship between nonprofit and commercial postage rates, this legislation would protect all categories of nonprofit mail from unpredictable rate swings in the future. The bill would set nonprofit and classroom Periodical rates at 95 percent of the commercial counterpart rates (excluding the advertising portion), set nonprofit Standard A rates at 60 percent of the commercial Standard A rates, and set Library and Educational Matter rates at 95 percent of the rates for the special subclass of commercial Standard B mail.

The Postal Service recently proposed to increase postage rates for all classes of mail, and this proposal is now pending before the Postal Rate Commission. As part of its request, the Postal Service asked for nonprofit postage rates that are premised on the enactment of this, or similar, legislation to change the process for setting nonprofit mail rates. Without this legislation, nonprofit mailers will face potential double-digit rate hikes.

This bill achieves an appropriate balance between nonprofit and commercial postage rates, and provides nonprofit mailers with much needed rate predictability. It is a compromise solution that is supported by the United States Postal Service and several major commercial and nonprofit mailer associations, including: the Alliance of Nonprofit Mailers, the National Federation of Nonprofits, the Direct Marketing Association, the Magazine Publishers of America, and the Association of Postal Commerce.

I invite my colleagues to support this effort to protect nonprofit mailers by improving the method for establishing nonprofit postage rates.

Mr. President, I ask unanimous consent that the 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. 2686

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

SECTION 1. SPECIAL RATEMAKING PROVISIONS.

(a) ESTABLISHMENT OF REGULAR RATES FOR MAIL CLASSES WITH CERTAIN PREFERRED SUBCLASSES.—Section 3622 of title 39, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) Regular rates for each class or subclass of mail that includes 1 or more special rate categories for mail under former section 4358(d) or (e), 4452(b) or (c), or 4554(b) or (c) of

this title shall be established by applying the policies of this title, including the factors of section 3622(b) of this title, to the costs attributable to the regular rate mail in each class or subclass combined with the mail in the corresponding special rate categories authorized by former section 4358(d) or (e), 4452(b) or (c), or 4554(b) or (c) of this title."

(b) **RESIDUAL RULE FOR PREFERRED PERIODICAL MAIL.**—Section 3626(a)(3)(A) of title 39, United States Code, is amended to read as follows:

"(3)(A) Except as provided in paragraph (4) or (5), rates of postage for a class of mail or kind of mailer under former section 4358 of this title shall be established in a manner such that the estimated revenues to be received by the Postal Service from such class of mail or kind of mailer shall be equal to the sum of—

"(i) the estimated costs attributable to such class of mail or kind of mailer; and

"(ii) the product derived by multiplying the estimated costs referred to in clause (i) by the applicable percentage under subparagraph (B)."

(c) **SPECIAL RULE FOR NONPROFIT AND CLASSROOM PERIODICALS.**—Section 3626(a)(4) of title 39, United States Code, is amended to read as follows:

"(4)(A) Except as specified in subparagraph (B), rates of postage for a class of mail or kind of mailer under former section 4358(d) or (e) of this title shall be established so that postage on each mailing of such mail shall be as nearly as practicable 5 percent lower than the postage for a corresponding regular-rate category mailing.

"(B) With respect to the postage for the advertising pound portion of any mail matter under former section 4358(d) or (e) of this title, the 5-percent discount specified in subparagraph (A) shall not apply if the advertising portion exceeds 10 percent of the publication involved."

(d) **SPECIAL RULE FOR NONPROFIT STANDARD (A) MAIL.**—Section 3626(a) of title 39, United States Code, is amended by adding at the end the following:

"(6) The rates for mail matter under former sections 4452(b) and (c) of this title shall be established as follows:

"(A) The estimated average revenue per piece to be received by the Postal Service from each subclass of mail under former sections 4452(b) and (c) of this title shall be equal, as nearly as practicable, to 60 percent of the estimated average revenue per piece to be received from the most closely corresponding regular-rate subclass of mail.

"(B) For purposes of subparagraph (A), the estimated average revenue per piece of each regular-rate subclass shall be calculated on the basis of expected volumes and mix of mail for such subclass at current rates in the test year of the proceeding.

"(C) Rate differentials within each subclass of mail matter under former sections 4452(b) and (c) shall reflect the policies of this title, including the factors set forth in section 3622(b) of this title."

(e) **SPECIAL RULE FOR LIBRARY AND EDUCATIONAL MATTER.**—Section 3626(a) of title 39, United States Code, as amended by subsection (d) of this section, is amended by adding at the end the following:

"(7) The rates for mail matter under former sections 4554(b) and (c) of this title shall be established so that postage on each mailing of such mail shall be as nearly as practicable 5 percent lower than the postage for a corresponding regular-rate mailing."

SEC. 2. TRANSITIONAL AND TECHNICAL PROVISIONS.

(a) **TRANSITIONAL PROVISION FOR NONPROFIT STANDARD (A) MAIL.**—In any proceeding in which rates are to be established under chapter 36 of title 39, United States Code, for mail

matter under former sections 4452(b) and (c) of that title, pending as of the date of enactment of section 1 of this Act, the estimated reduction in postal revenue from such mail matter caused by the enactment of section 3626(a)(6)(A) of that title, if any, shall be treated as a reasonably assignable cost of the Postal Service under section 3622(b)(3) of that title.

(b) **TECHNICAL AMENDMENT.**—Section 3626(a)(1) of title 39, United States Code, is amended by striking "4454(b), or 4454(c)" and inserting "4554(b), or 4554(c)".

By Mr. INOUE (for himself, Mr. AKAKA, Mr. COCHRAN, Mr. DODD, Mr. KENNEDY, Mrs. MURRAY, and Mr. SCHUMER):

S. 2688. A bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

NATIVE AMERICAN LANGUAGES ACT AMENDMENTS ACT OF 2000

Mr. INOUE. Mr. President, I rise today to introduce a bill to amend the Native American Languages Act to provide authority for the establishment of Native American Language Survival Schools. I am joined in co-sponsorship by Senators AKAKA, COCHRAN, DODD, KENNEDY, MURRAY and SCHUMER.

Mr. President, for hundreds of years, beginning with the arrival of European settlers on America's shores, the native peoples of America have had to fight for the survival of their cultures. History has shown that the ability to maintain and preserve the culture and traditions of a people is directly tied to the perpetuation of native languages. Like others, the traditional languages of Native American people are an integral part of their culture and identity. They provide the means for passing down to each new generation the stories, customs, religion, history and traditional ways of life. To lose the diversity and vibrant history of many Indian nations, is to lose a vital part of the history of this country.

Mr. President, Native American languages are near extinction in the United States. Studies suggest that at one time several thousand distinct Indian languages existed in what is now America. Today that number has dwindled to approximately 155 Indian languages. Of these 155 languages remaining, 45 are only spoken by elders, 60 are spoken only by middle-aged adults or older adults, 30 are spoken by all adults but not children, and only 20 Native languages are spoken by most of the children. With so many Native communities facing the loss of their languages as elderly native speakers pass on before the language can be taught to younger generations, it is little wonder that this tragedy is growing exponentially, day by day.

In the 1880s, as part of the United States' forced assimilation policies towards Native Americans, a system of off-reservation boarding schools was initiated. Native American children were forcibly taken from their families, transported hundreds of miles to

schools where their hair was cut notwithstanding the religious importance of hair length in most native cultures, their clothes replaced with military-style uniforms, and they were forbidden to speak their native languages or practice their religion. Although this effort to eradicate Indian culture was not successful, it did separate several generations of Native Americans from their native languages.

The Native American Languages Act of 1990 officially repudiated the policies of the past and declared that "it is the policy of the United States to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages." The Act was amended in 1992 to provide financial support to Native American language projects.

Mr. President, this bill would bring the nation one step closer to assuring the preservation and revitalization of Native American languages by supporting the development of Native American Language Survival Schools. These schools would provide a complete education through the use of both Native American languages and English. The bill also provides support for Native American Language Nests, which are Native American language immersion programs for children aged six and under. In addition, the bill provides authority for the following activities: curriculum development, teacher, staff and community resource development, rental, lease, purchase, construction, maintenance or repair of educational facilities, and the establishment of two Native American Language School support centers at the Native Language College of the University of Hawaii at Hilo, and the Alaska Native Language Center of the University of Alaska at Fairbanks.

Mr. President, I urge my colleagues to support this legislation to assist the Native people of America in their efforts to reverse the effects of past Federal policies by reintroducing today's children to their Native languages and preserving Native languages for the generations to come.

Mr. President, I ask unanimous consent that the 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. 2688

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 "Native American Languages Act Amendments Act of 2000".

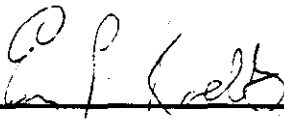
SEC. 2. PURPOSE.

The purposes of this Act are to—

(1) encourage and support the development of Native American Language Survival Schools as innovative means of addressing the effects of past discrimination against Native American language speakers and to support the revitalization of such languages

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the Rules of Practice.



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