

Calendar No. 513

103^D CONGRESS
2^D SESSION

S. RES. 239

Expressing the sense of the Senate regarding conditions for continued United States participation under the Convention on Biological Diversity.

IN THE SENATE OF THE UNITED STATES

JULY 11, 1994

Mr. PELL, from the Committee on Foreign Relations, reported the following original resolution; which was placed on the calendar

RESOLUTION

Expressing the sense of the Senate regarding conditions for continued United States participation under the Convention on Biological Diversity.

1 *Resolved,*

2 **SECTION 1. UNITED STATES PARTICIPATION UNDER THE**
3 **CONVENTION.**

4 It is the sense of the Senate that, in formulating
5 United States participation under the Convention on Bio-
6 logical Diversity, the President should ensure that—

7 (1) any proposal for funding of United States
8 participation under the Convention includes specific

1 offsets within the United States budget to ensure
2 the United States budgetary deficit is not increased;

3 (2) a restructured Global Environmental Facil-
4 ity is the financing mechanism referred to in the
5 Convention;

6 (3) further decisions under the Convention pro-
7 vide adequate and effective protections for intellec-
8 tual property and are not weaker than those pro-
9 vided under the General Agreement on Tariffs and
10 Trade, under United States laws, or under the laws
11 of other developed countries;

12 (4) the United States has received a vote in all
13 institutions, organizations, and mechanisms created
14 under the Convention that is commensurate with the
15 level of United States assessed contributions under
16 the Convention;

17 (5) the biological safety protocol is submitted to
18 the Senate for its advice and consent to ratification;
19 and

20 (6) United States contributions under the Con-
21 vention are solely dependent upon appropriations by
22 the United States Congress and is not bound by as-
23 sessments of organizations created under the Con-
24 vention.

1 **SEC. 2. PRESIDENTIAL REPORT.**

2 It is the sense of the Senate that the President should
3 provide a report one year after the date of entry into force
4 of the Convention, and every year thereafter, to the Speak-
5 er of the House of Representatives and to the Chairman
6 of the Committee on Foreign Relations of the Senate out-
7 lining the status of United States participation under the
8 Convention and specifically explaining the status of the
9 following:

10 (1) The costs of United States participation
11 under the Convention during the preceding one year
12 period, and the total amount of projected expendi-
13 tures under the Convention for the subsequent five
14 year period.

15 (2) The financing mechanism and whether it in-
16 cludes a restructured Global Environment Facility.

17 (3) Whether decisions under the Convention
18 provide adequate and effective protections for intel-
19 lectual property and, specifically, whether those pro-
20 tections provided under the Convention are weaker
21 than those protections—

22 (A) provided under United States laws,

23 (B) provided in other developed countries,

24 or

25 (C) provided under the Uruguay Round of
26 the General Agreement on Tariffs and Trade.

1 (4) Whether the United States has received a
2 vote in all aspects of the furtherance of goals under
3 the Convention that is commensurate with the level
4 of United States assessed contributions under the
5 Convention.

6 (5) The biological safety protocol and whether
7 it was adopted in consultation with the United
8 States Senate and the United States biotechnology
9 industry.

10 **SEC. 3. DEFINITION.**

11 As used in this resolution, the term “Convention”
12 means the Convention on Biological Diversity, signed in
13 New York on June 4, 1993.

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