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CONGRESSIONAL RECORD

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SENATE

| BILL | DATE | PAGE(S) |
|---|---|---|
| S. Res. 434 Filed with: H.R. 6260 | Aug. 12, 1982 | S10293 |

Action:

Agreed to

## BUDGET ACT WAIVER

Mr. BAKER. Mr. President, I intend to proceed to a budget waiver which is on the calendar as No. 738, Senate Resolution 434, and the waiver is to accompany Calendar No. 704, H.R. 6260, if that is agreeable to the minority leader.

Mr. ROBERT C. BYRD. Mr. President, both requests are agreeable.

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 434.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 434) waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 6260.

The resolution (S. Res. 434) was considered and agreed to, as follows:

S. RES. 434

*Resolved*, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of H.R. 6260. Such waiver is necessary because H.R. 6260 authorizes appropriations for the Patent and Trademark Office which includes the implementation of new patent and trademark fee schedules on October 1, 1982, and such a bill or a companion Senate bill was not reported on or before May 15, 1982, as required by section 402(a) of the Congressional Budget Act of 1974.

The waiver of section 402(a) is necessary to permit enactment of H.R. 6260 in a timely manner so (1) the Patent and Trademark Office of the Department of Commerce can be authorized for fiscal years 1983, 1984, and 1985, and (2) new patent and trademark fee schedules can be implemented by October 1, 1982. With regard to the latter point, time is of the essence since a notice period and hearing on the proposed fee schedules must occur prior to October 1, 1982.

The levels of appropriations authorized by H.R. 6260, although $8 million above the President's request for fiscal year 1982, are supported by the Reagan administration and would be within budget outlay levels for that purpose.

The Appropriations Committees of the Senate and House of Representatives have therefore had adequate notice of this authorization. Thus, congressional consideration of this authorization will in no way interfere with or delay the appropriations process.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.