

Thank you for attending to a serious problem that undermines U.S. intellectual property.

Sincerely,

DONNA VAN GREEN,  
*Frame Division Liaison,  
Vision Council of America.*

THE TIMBERLAND COMPANY,  
*Stratham, NH, November 2, 2005.*

Senator ARLEN SPECTER,  
*Chairman, Senate Committee on the Judiciary,  
Hart Senate Office Building, Washington,  
DC.*

Senator PATRICK J. LEAHY,  
*Ranking Member, Senate Committee on the Judiciary,  
Russell Senate Office Building,  
Washington, DC.*

DEAR SENATOR SPECTER AND SENATOR LEAHY: On behalf of the more than 2,100 people employed in the U.S. by The Timberland Company. I am writing to express my support for S. 1699, the "Stop Counterfeiting in Manufactured Goods Act" which creates necessary disincentives in the criminal code for traffickers in counterfeit labels and goods. This bill is an essential step toward protecting our trademark, our brand, and our company's identity. I urge you to endorse this bill and promote its passage in the full Senate.

As you know, the elicit counterfeiting of legitimate products is a serious problem, both internationally and in the United States. This bill, which is similar to H.R. 32, which was passed by the U.S. House of Representatives in May, will strengthen efforts to combat counterfeiting in the U.S. in two very important ways. Specifically, S. 1699 would:

Amend Title 18 of the United States Code to close the loophole in the criminal trademark infringement statute, which currently does not criminally prohibit the trafficking of labels, patches, and stickers, and other counterfeit marks; and

Ensure that counterfeit goods and marks seized in violation of this statute are properly disposed of and do not make their way back on the street.

Counterfeiting costs the U.S. hundreds of billions of dollars each year, and will continue to do so if our laws do not act as a deterrent. Not only would S. 1699 take the very equipment out of the hands of counterfeiters who would perpetuate the manufacture of illicit goods, it would allow the U.S. to seek similarly strong legislation abroad as it enters into trade negotiations with other countries.

I appreciate this opportunity to address this critically important issue, and I hope you will continue the fight against elicit counterfeiting of U.S. products by supporting S. 1699 and promoting its passage in the full Senate.

Sincerely,

DANETTE WINEBERG,  
*Vice President,  
General Counsel and Secretary.*

Mr. LEAHY. Mr. President, it has been very heartening to see such overwhelming support for this important bill. Counterfeiting is a threat to America. It wreaks real harm on our economy, our workers, and our consumers. This bill is a tough bill that will give law enforcement improved tools to fight this form of theft. The bill is short and straight-forward, but its impact should be profound and far-reaching.

Mr. SPECTER. I would like to take this opportunity to thank Senators ALEXANDER, BAYH, BROWNBACK, COBURN, CORNYN, DEWINE, DURBIN,

FEINGOLD, FEINSTEIN, HATCH, KYL, LEVIN, REED, STABENOW and VOINOVICH for their co-sponsorship.

I would also like to thank Representative JIM SENSENBRENNER, chairman of the House Judiciary Committee, and Representative JOE KNOLLENBERG for their leadership in the House with regard to H.R. 32, counterfeiting legislation directly related to S. 1699. In January of this year, Representative KNOLLENBERG introduced H.R. 32, the initial draft of the Stop Counterfeiting in Manufactured Goods Act of 2005, in the House. When the bill was in Committee, he fostered negotiations between the Department of Justice, the U.S. Chamber of Commerce, and the International Trademark Association to craft language nearly paralleling S. 1699. I commend to my colleagues the Housing Judiciary Committee Report on H.R. 32, as amended.

Mr. LEAHY. Some of our most important legislation is produced not only when we reach across the aisle in the name of bipartisanship, but, when we work across chambers and reach true consensus. I would also like to thank Senators ALEXANDER, BAYH, BROWNBACK, COBURN, CORNYN, DEWINE, DURBIN, FEINGOLD, FEINSTEIN, HATCH, KYL, LEVIN, REED, STABENOW and VOINOVICH for their cosponsorship. Counterfeiting is a serious problem that does not lend itself to a quick and easy solution. This legislation is an important step towards fighting counterfeiting. I hope we can build on the success of this law.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment was agreed to.

The bill (S. 1699), as amended, was read the third time and passed.

#### AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. FRIST. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and the junior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

#### ORDERS FOR MONDAY, NOVEMBER 14, 2005

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, November 14. I further ask that following the prayer and the

pledge, the morning hour be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved and the Senate resume consideration of S. 1042 as under the previous order.

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

#### PROGRAM

Mr. FRIST. Mr. President, on Monday, the Senate will continue its consideration of the Defense authorization bill. Under the agreement reached this evening, we will have debate on only a few remaining amendments. We will complete action on those amendments and proceed to passage of the bill with a series of votes that will start on Tuesday morning. We will have a vote on Monday. Under the order just entered, we will vote on the Energy and Water appropriations conference report at 5:30. We will also complete action on the State, Justice, Commerce appropriations conference report next week.

#### ADJOURNMENT UNTIL MONDAY, NOVEMBER 14, 2005, AT 2 P.M.

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:56 p.m., adjourned until Monday, November 14, 2005, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate November 10, 2005:

##### DEPARTMENT OF COMMERCE

ROBERT C. CRESANTI, OF TEXAS, TO BE UNDER SECRETARY OF COMMERCE FOR TECHNOLOGY, VICE PHILLIP BOND, RESIGNED.

DAVID M. SPOONER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE JAMES J. JOCHUM, RESIGNED.

##### DEPARTMENT OF HOMELAND SECURITY

UTTAM DHILLON, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT, DEPARTMENT OF HOMELAND SECURITY. (NEW POSITION)

##### SUPREME COURT OF THE UNITED STATES

SAMUEL A. ALITO, JR., OF NEW JERSEY, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, VICE SANDRA DAY O'CONNOR, RETIRING.

##### THE JUDICIARY

LEO MAURY GORDON, OF NEW JERSEY, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE THOMAS J. AQUILINO, RETIRED.

##### DEPARTMENT OF JUSTICE

STEPHEN C. KING, OF NEW YORK, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2008, VICE JEREMY H. G. IBRAHIM, TERM EXPIRED.

##### DEPARTMENT OF STATE

DUANE ACKLE, OF NEBRASKA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

GOLI AMERI, OF OREGON, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

ROBERT C. O'BRIEN, OF CALIFORNIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

DONALD M. PAYNE, OF NEW JERSEY, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

EDWARD RANDALL ROYCE, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. DAVID D. MCKIERNAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. CHARLES C. CAMPBELL, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. RICHARD G. MAXON, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

JON R. STOVALL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

KENNETH W. BULLOCK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

RANDALL S. LECHEMINANT, 0000  
SCOTT H. R. LEE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

RENA A. NICHOLAS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JEFFREY S. BRITTIG, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ALBERT J. BAINGER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JACK N. WASHBURNE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

BARRY J. BERNSTEIN, 0000  
MARK D. NETHERTON, 0000  
JAMES D. REECE, 0000  
GUY C. SCHULTZ, 0000  
JUAN M. VERA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

*To be lieutenant colonel*

MELVIN S. HOGAN, 0000  
JOSEPH M. JACKSON, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, November 10, 2005:

DEPARTMENT OF STATE

ANNE W. PATTERSON, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS).

DEPARTMENT OF VETERANS AFFAIRS

GEORGE J. OFFER, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF VETERANS AFFAIRS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF AGRICULTURE

JAMES M. ANDREW, OF GEORGIA, TO BE ADMINISTRATOR, RURAL UTILITIES SERVICE, DEPARTMENT OF AGRICULTURE.

CHARLES R. CHRISTOPHERSON, JR., OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE.

EXECUTIVE OFFICE OF THE PRESIDENT

SUSAN C. SCHWAB, OF MARYLAND, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF DEFENSE

DONALD C. WINTER, OF VIRGINIA, TO BE SECRETARY OF THE NAVY.

DEPARTMENT OF JUSTICE

SUE ELLEN WOOLDRIDGE, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.