

“(1) PROHIBITION.—

“(A) IN GENERAL.—No United States person”; and

(3) in the undesignated matter following clause (ii) (as redesignated by paragraph (1)), by striking “Nothing in this paragraph” and inserting the following:

“(B) DEFINITION OF PAYMENT OF CASH IN ADVANCE.—Notwithstanding any other provision of law, for purposes of this paragraph, the term ‘payment of cash in advance’ means only that payment must be received by the seller of an agricultural supply to Cuba or any person in Cuba before surrendering physical possession of the agricultural supply.

“(C) REGULATIONS.—The Secretary of the Treasury shall publish in the Federal Register a description of the contents of this section as a clarification of the regulations of the Secretary regarding sales under this title to Cuba.

“(D) CLARIFICATION.—Nothing in this paragraph”.

#### SEC. 3. REQUIREMENTS RELATING TO CERTAIN TRAVEL-RELATED TRANSACTIONS WITH CUBA.

Section 910 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7208) is amended by adding at the end the following:

“(C) GENERAL LICENSE AUTHORITY FOR TRAVEL-RELATED EXPENDITURES IN CUBA BY PERSONS ENGAGING IN TSREEA-AUTHORIZED SALES AND MARKETING ACTIVITIES.—

“(1) DEFINITION OF SALES AND MARKETING ACTIVITY.—

“(A) IN GENERAL.—In this subsection, the term ‘sales and marketing activity’ means any activity with respect to travel to, from, or within Cuba that is undertaken by United States persons—

“(i) to explore the market in Cuba for products authorized under this title; or

“(ii) to engage in sales activities with respect to such products.

“(B) INCLUSION.—The term ‘sales and marketing activity’ includes exhibiting, negotiating, marketing, surveying the market, and delivering and servicing products authorized under this title.

“(2) AUTHORIZATION.—The Secretary of the Treasury shall authorize under a general license the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations (as in effect on June 1, 2007), for travel to, from, or within Cuba in connection with sales and marketing activities involving products approved for sale under this title.

“(3) AUTHORIZED PERSONS.—Persons authorized to travel to Cuba under paragraph (2) shall include—

“(A) producers of products authorized under this title;

“(B) distributors of such products; and

“(C) representatives of trade organizations that promote the interests of producers and distributors of such products.

“(4) REGULATIONS.—The Secretary of the Treasury shall promulgate such rules and regulations as are necessary to carry out this subsection.”.

#### SEC. 3. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS.

The Trade Sanctions Reform and Export Enhancement Act of 2000 is amended—

(1) by redesignating section 911 (22 U.S.C. 7201 note; Public Law 106-387) as section 912; and

(2) by inserting after section 910 (22 U.S.C. 7209) the following:

#### “SEC. 911. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS.

“Notwithstanding any other provision of law (including regulations), the President shall not restrict direct transfers from

Cuban to United States financial institutions executed in payment for products authorized by this Act.”.

### PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Bryan Mignone and Alicia Jackson, both AAAS fellows with my staff on the Energy and Natural Resources Committee, be granted floor privileges for the remainder of debate on the Energy bill.

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

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that Alan Mackey and Patty Lawrence, detailees from the U.S. Department of Agriculture, my committee staff, be granted the privileges of the floor for today's session and for the remainder of the debate on this bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### EXECUTIVE SESSION

#### PATENT LAW TREATY AND REGULATIONS UNDER PATENT LAW TREATY

#### GENEVA ACT OF THE HAGUE AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

#### SINGAPORE TREATY ON THE LAW OF TRADEMARKS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 6, 7, and 8, the Patent Law Treaty; the Geneva Act concerning the international registration of industrial designs; and the Singapore Treaty on the Law of Trademarks; that the treaties be advanced through their various parliamentary stages, up to and including the presentation of the resolutions of ratification, and that the reservations, declarations, and conditions be agreed to, and there now be a division vote on the resolutions en bloc.

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

The treaties will be considered to have passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification.

The resolutions of ratification are as follows:

### TREATIES

[Patent Law Treaty and Regulations Under Patent Law Treaty (Treaty Doc. 109-12)]

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

Section 1. Senate Advice and Consent subject to reservation.

The Senate advises and consents to the ratification of the Patent Law Treaty and Regulations under the Patent Law Treaty, done at Geneva on June 1, 2000 (Treaty Doc. 109-12), subject to the reservation of section 2.

#### Section 2. Reservation.

The advice and consent of the Senate under section 1 is subject to the following reservation, which shall be included in the United States instrument of ratification:

Pursuant to Article 23, the United States of America declares that Article 6(1) shall not apply to any requirement relating to unity of invention applicable under the Patent Cooperation Treaty to an international application.

[Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (Treaty Doc. 109-21)]

Section 1. Senate Advice and Consent subject to declarations.

The Senate advises and consents to the ratification of the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (the “Agreement”), adopted in Geneva on July 2, 1999, and signed by the United States of America on July 6, 1999 (Treaty Doc. 109-21), subject to the declarations of section 2.

#### Section 2. Declarations.

The advice and consent of the Senate under section 1 is subject to the following declarations, which shall be included in the United States instrument of ratification:

(1) Pursuant to Article 5(2)(a) and Rule 11(3) of the Agreement, the United States of America declares that its Office is an Examining Office under the Agreement whose law requires that an application for the grant of protection to an industrial design contain: (i) indications concerning the identity of the creator of the industrial design that is the subject of the application; (ii) a brief description of the reproduction or of the characteristic features of the industrial design that is the subject of the application; and (iii) a claim. The specific wording of the claim shall be in formal terms to the ornamental design for the article (specifying name of article) as shown, or as shown and described.

(2) Pursuant to Article 7(2) and Rule 12(3) of the Agreement, the United States of America declares that, as an Examining Office under the Agreement, the prescribed designation fee referred to in Article 7(1) of the Agreement shall be replaced by an individual designation fee, that is payable in a first part at filing and a second part payable upon allowance of the application. The current amount of the designation fee is US \$1,230, payable in a first part of US \$430 at filing and a second part of US \$800 upon allowance of the application. However, for those entities that qualify for “small entity” status within the meaning of section 41(h) of title 35 of the United States Code and section 3 of the Small Business Act, the amount of the individual designation fee is US \$615, payable in a first part of US \$215 and a second part of US \$400. In addition, these amounts are subject to future changes upon which notification to the Director General will be made in future declarations as authorized in Article 7(2) of the Agreement.

(3) Pursuant to Article 11(1)(b) of the Agreement, the United States of America declares that the law of the United States of America does not provide for the deferment of the publication of an industrial design.

(4) Pursuant to Article 13(1) of the Agreement, the United States of America declares that its laws require that only one independent and distinct design may be claimed in a single application.

(5) Pursuant to Article 16(2) of the Agreement, the United States of America declares

that a recording by the International Bureau under Article 16(1)(i) of the Agreement shall not have effect in the United States of America until the United States Patent and Trademark Office has received the statements or documents recorded thereby.

(6) Pursuant to Article 17(3)(c) of the Agreement, the United States of America declares that the maximum duration of protection for designs provided for by its law is 15 years from grant.

(7) Pursuant to Rule 8(1) of the Agreement, the United States of America declares that the law of the United States of America requires that an application for protection of an industrial design be filed in the name of the creator of the industrial design. The specific form and mandatory contents of a statement required for the purposes of Rule 8(2) of the Agreement are contained in section 1.63 of title 37 of the Code of Federal Regulations of the United States.

(8) Pursuant to Rule 13(4) of the Agreement, the United States of America declares that the period of one month referred to in Rule 13(3) of the Agreement shall be replaced by a period of six months as to the United States of America in light of the security clearance required by United States law.

(9) Pursuant to Rule 18(1)(b), the United States of America declares that the period of six months referred to in Rule 18(1)(a) of the Agreement shall be replaced by a period of twelve months with respect to the United States of America, as the Office of the United States of America is an Examining Office under the Agreement.

[Singapore Treaty on the Law of Trademarks (Treaty Doc. 110-2)]

Section 1. Senate Advice and Consent subject to a condition.

The Senate advises and consents to the ratification of the Singapore Treaty on the Law of Trademarks adopted in Singapore on March 27, 2006 and signed by the United States at Singapore on March 28, 2006 (Treaty Doc. 110-2), subject to the condition of section 2.

Section 2. Condition.

The advice and consent of the Senate under section 1 is subject to the following condition: Report on Amendments to the Regulations. Not later than 60 days after the Assembly has agreed to an amendment to the Regulations pursuant to Article 22 and Article 23 of the Treaty, the Secretary of State shall transmit the text of the amendment to the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

The PRESIDING OFFICER. A division vote has been requested. The question is on the resolutions of ratification. Senators in favor of the ratification of these treaties, please rise.

Those opposed will rise and stand until counted.

In the opinion of the Chair, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification are agreed to.

Mr. REID. I ask unanimous consent the motions to reconsider be laid on the table, that the President of the United States be immediately notified of the Senate's action.

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

#### LEGISLATIVE SESSION

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

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

#### CELEBRATING TOP HONORS BY GIRLS IN THE SIEMENS COMPETITION IN MATH, SCIENCE, AND TECHNOLOGY

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 397.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 397) recognizing the 2007–2008 Siemens competition in Math, Science and Technology and celebrating the first time in the history of the competition that girls have won top honors.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 397) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 397

Whereas the Siemens Competition in Math, Science and Technology was first held in 1998 and is one of the top science competitions in the country for high school students;

Whereas Isha Himani Jain, 16, is a senior at Freedom High School in Bethlehem, Pennsylvania, and placed first in the individual category for her studies of bone growth in zebra fish;

Whereas Janelle Schlossberger and Amanda Marinoff, both 17, are seniors at Plainview-Old Bethpage John F. Kennedy High School on Long Island and won the team category for creating a molecule that helps block the reproduction of drug-resistant tuberculosis bacteria;

Whereas Alicia Darnell is 17 and a senior at Pelham Memorial High School in Pelham, New York, and won second place in the individual category for research that identified genetic defects related to amyotrophic lateral sclerosis (Lou Gehrig's Disease);

Whereas Caroline Lang, 16, Rebecca Ehrhardt, 15, and Naomi Collipp, 16, of Pennsylvania and New Jersey took fifth place in the team category for their project on the safe elimination of E. coli bacteria;

Whereas the awards were announced on December 3, 2007, at New York University and mark the first time that young women have won the grand prizes in both the individual and team categories of the Siemens Competition: Now, therefore, be it

Resolved, That the Senate—

(1) honors the Siemens Foundation, sponsor of the Siemens Competition in Math, Science and Technology, for its contributions to science education and academic excellence;

(2) congratulates all the competitors and finalists in the Siemens Competition in Math, Science and Technology;

(3) celebrates the many contributions of women in the fields of math, science, and technology on the occasion of the first time that young women have won both the indi-

vidual and team grand prizes in the Siemens Competition; and

(4) recognizes the dedication of parents, educators, and organizations such as the Siemens Foundation in helping young men and women achieve academic excellence.

#### PROVIDING FOR A TEMPORARY EXTENSION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT

Mr. REID. Mr. President, I ask unanimous consent we move to H.R. 4252.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4252) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 23, 2008, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (H.R. 4252) was ordered to be read the third time, was read the third time, and passed.

#### ORDERS FOR MONDAY, DECEMBER 10, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m., Monday, December 10; that on Monday, following the prayer and pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day, and the Senate then resume consideration of the farm bill, H.R. 2419.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. As I announced earlier, there will be no rollcall votes Monday. However, the farm bill will be up for consideration, and I expect that amendments will be offered during Monday's session as they were today.

Earlier today, we whittled down the farm bill amendments by approximately 25 percent. I also anticipate we will have a vote prior to the caucus luncheon recess period.

#### ADJOURNMENT UNTIL MONDAY, DECEMBER 10, 2007, AT 3 P.M.

Mr. REID. Mr. President, if there is no further business today, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 3:14 p.m., adjourned until Monday, December 10, 2007, at 3 p.m.