

Cooksey	Hyde	Portman
Coyne	Jackson (IL)	Price (NC)
Crane	Jenkins	Pryce (OH)
Cummings	John	Quinn
Cunningham	Johnson (CT)	Ramstad
Davis (FL)	Johnson (WI)	Reyes
Davis (IL)	Johnson, E. B.	Roemer
Davis (VA)	Johnson, Sam	Rogan
DeGette	Kasich	Rogers
Delahunt	Kelly	Rothman
Dicks	Kennedy (MA)	Roukema
Dingell	Kennedy (RI)	Roybal-Allard
Doggett	Kennelly	Sabo
Dooley	Kind (WI)	Sanchez
Dreier	Klug	Sandlin
Dunn	Knollenberg	Sawyer
Edwards	Kolbe	Schumer
Ehlers	LaFalce	Scott
Ehrlich	Lampson	Serrano
Engel	Lantos	Sessions
Eshoo	Latham	Shaw
Etheridge	Lewis (CA)	Shays
Evans	Lewis (GA)	Sherman
Farr	Linder	Shimkus
Fawell	Lofgren	Shuster
Fazio	Lowe	Sisisky
Flake	Luther	Skaggs
Foglietta	Maloney (CT)	Skeen
Ford	Maloney (NY)	Skelton
Frank (MA)	Manton	Slaughter
Frelinghuysen	Markey	Smith (TX)
Frost	Matsui	Smith, Adam
Ganske	McCarthy (MO)	Snyder
Gekas	McCollum	Souder
Gibbons	McDermott	Stokes
Gilchrist	Meehan	Tanner
Gilman	Minge	Tauscher
Gonzalez	Moakley	Thomas
Goodlatte	Mollohan	Thurman
Goodling	Morella	Tierney
Granger	Nadler	Turner
Greenwood	Neal	Vento
Gutknecht	Northup	Visclosky
Hamilton	Nussle	Watkins
Hastings (FL)	Oxley	Waxman
Hefner	Packard	Weldon (FL)
Hinchee	Pastor	Wexler
Hinojosa	Paxon	White
Hobson	Pease	Wolf
Hoolley	Peterson (MN)	Young (FL)
Horn	Pickett	
Houghton	Pitts	

NOT VOTING—20

Andrews	Inglis	Taylor (MS)
Ballenger	Kilpatrick	Taylor (NC)
Cubin	Kingston	Towns
Deutsch	Rush	Velazquez
Diaz-Balart	Sanford	Wise
Furse	Schiff	Yates
Hoekstra	Smith (OR)	

So the amendment was agreed to.

36.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HUNTER:

Page 4, strike line 1 and all that follows through page 26, line 9 and insert the following:

TITLE I—PATENT AND TRADEMARK SYSTEM REVISIONS

SEC. 101. SECURE PATENT EXAMINATION.

Section 3 of title 35, United States Code, is amended by adding at the end the following:

“(f) All examination and search duties for the grant of United States letters patent are sovereign functions which shall be performed within the United States by United States citizens who are employees of the United States Government.”

SEC. 102. PATENT AND TRADEMARK EXAMINER TRAINING.

(a) IN GENERAL.—Chapter 1 of title 35, United States Code, is amended by adding at the end the following new section:

“§ 15. Patent and trademark examiner training

IN GENERAL.—All patent examiners and trademark examiners shall spend at least 5 percent of their duty time per annum in training to maintain and develop the legal

and technological skills useful for patent or trademark examination, as the case may be.

“(b) TRAINERS OF EXAMINERS.—The Patent and Trademark Office shall develop an incentive program to retain as employees patent examiners and trademark examiners of the primary examiner grade or higher who are eligible for retirement, for the sole purpose of training patent examiners and trademark examiners who have not achieved the grade of primary examiner.”

(b) CLERICAL AMENDMENT.—The table of contents for chapter 1 of title 35, United States Code, is amended by adding at the end the following:

“15. Patent and trademark examiner training.”

SEC. 103. LIMITATIONS ON PERSONNEL.

Section 3(a) of title 35, United States Code, is amended by adding at the end the following: “The Office shall not be subject to any administratively or statutorily imposed limitation on positions or personnel, and no positions or personnel of the Office shall be taken into account for purposes of applying any such limitation.”

Page 26, line 10, strike “121” and insert “104”.

Page 28, line 15, strike “122” and insert “105”.

Page 30, strike line 3 and all that follows through page 46, line 23, and insert the following:

SEC. 106. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect 30 days after the date of the enactment of this Act.

Amend the table of contents accordingly.

It was decided in the { Yeas ..... 133 negative ..... } Nays ..... 280

36.14 [Roll No. 89] AYES—133

Abercrombie	Herger	Obey
Bachus	Hill	Olver
Baker	Holden	Ortiz
Baldacci	Hostettler	Pallone
Barcia	Hoyer	Pappas
Barr	Hulshof	Pascrell
Bartlett	Hunter	Petri
Bilbray	Istook	Pombo
Bilirakis	Jackson-Lee	Pomeroy
Bonior	(TX)	Radanovich
Bono	Jones	Rahall
Brown (OH)	Kanjorski	Regula
Burton	Kaptur	Riley
Calvert	Kildee	Rivers
Campbell	King (NY)	Rohrabacher
Chenoweth	Kleccka	Ros-Lehtinen
Clement	Klink	Royce
Coburn	Kucinich	Ryun
Combest	Largent	Salmon
Condit	LaTourette	Sanders
Crapo	Lewis (KY)	Saxton
Danner	Lipinski	Scarborough
DeFazio	LoBiondo	Schaefer, Dan
Doolittle	Lucas	Schaffer, Bob
Doyle	Manzullo	Sessions
Emerson	Martinez	Skelton
English	Mascara	Smith (NJ)
Ensign	McCarthy (NY)	Smith, Linda
Everett	McHale	Snowbarger
Ewing	McHugh	Solomon
Filner	McInnis	Spence
Foley	McKeon	Stark
Forbes	McKinney	Stump
Galleghy	McNulty	Talent
Gephardt	Metcalfe	Tiahrt
Gibbons	Mica	Traficant
Goode	Miller (CA)	Walsh
Goodling	Mink	Wamp
Goss	Moran (KS)	Waters
Graham	Moran (VA)	Watts (OK)
Gutierrez	Myrick	Weldon (FL)
Hall (TX)	Neumann	Weller
Hansen	Ney	Whitfield
Hayworth	Norwood	Young (AK)
Hefley	Oberstar	

NOES—280

Ackerman	Allen	Armey
Aderholt	Archer	Baessler

Barrett (NE)	Frost	Northup
Barrett (WI)	Ganske	Nussle
Barton	Gejdenson	Owens
Bass	Gekas	Oxley
Bateman	Gilchrist	Packard
Becerra	Gillmor	Parker
Bentsen	Gilman	Pastor
Bereuter	Gonzalez	Paul
Berman	Goodlatte	Paxon
Berry	Gordon	Payne
Bishop	Granger	Pease
Blagojevich	Green	Pelosi
Bliley	Greenwood	Peterson (MN)
Blumenauer	Gutknecht	Peterson (PA)
Blunt	Hall (OH)	Pickering
Boehkert	Hamilton	Pickett
Boehner	Harman	Pitts
Bonilla	Hastert	Porter
Borski	Hastings (FL)	Portman
Boswell	Hastings (WA)	Poshard
Boucher	Hefner	Price (NC)
Boyd	Hilleary	Pryce (OH)
Brady	Hilliard	Quinn
Brown (CA)	Hinchee	Ramstad
Brown (FL)	Hinojosa	Rangel
Bryant	Hobson	Reyes
Bunning	Hooley	Riggs
Burr	Horn	Rodriguez
Buyer	Houghton	Roemer
Callahan	Hutchinson	Rogan
Camp	Hyde	Rogers
Canady	Jackson (IL)	Rothman
Cannon	Jefferson	Roukema
Capps	Jenkins	Roybal-Allard
Cardin	John	Sabo
Carson	Johnson (CT)	Sanchez
Castle	Johnson (WI)	Sandlin
Chabot	Johnson, E.B.	Sawyer
Chambliss	Johnson, Sam	Schumer
Christensen	Kasich	Scott
Clay	Kelly	Sensenbrenner
Clayton	Kennedy (MA)	Serrano
Clyburn	Kennedy (RI)	Shadegg
Coble	Kennelly	Shaw
Cole	Kim	Shays
Collins	Kind (WI)	Sherman
Conyers	Klug	Shimkus
Cook	Knollenberg	Shuster
Cooksey	Kolbe	Sisisky
Costello	LaFalce	Skaggs
Cox	LaHood	Skeen
Coyne	Lampson	Slaughter
Cramer	Lantos	Smith (MI)
Crane	Latham	Smith (TX)
Cummings	Lazio	Smith, Adam
Cunningham	Leach	Snyder
Davis (FL)	Levin	Souder
Davis (IL)	Lewis (CA)	Spratt
Davis (VA)	Lewis (GA)	Stabenow
Deal	Linder	Stearns
DeGette	Livingston	Stenholm
Delahunt	Lofgren	Stokes
DeLauro	Lowey	Strickland
Dellums	Luther	Stupak
Dickey	Maloney (CT)	Sununu
Dicks	Maloney (NY)	Tanner
Dingell	Manton	Tauscher
Dixon	Markey	Tauzin
Doggett	Matsui	Thomas
Dreier	McCarthy (MO)	Thompson
Duncan	McCollum	Thornberry
Dunn	McCrery	Thune
Edwards	McDade	Thurman
Ehlers	McDermott	Tierney
Ehrlich	McGovern	Torres
Engel	McIntosh	Turner
Eshoo	McIntyre	Upton
Etheridge	Meehan	Vento
Evans	Meek	Visclosky
Farr	Menendez	Watkins
Fattah	Millender	Watt (NC)
Fawell	McDonald	Waxman
Fazio	Miller (FL)	Weldon (PA)
Flake	Minge	Wexler
Foglietta	Moakley	White
Ford	Molinaro	Wicker
Fowler	Mollohan	Wolf
Fox	Morella	Woolsey
Frank (MA)	Murtha	Wynn
Franks (NJ)	Nadler	Young (FL)
Frelinghuysen	Neal	
	Nethercutt	

NOT VOTING—20

Andrews	Furse	Rush
Ballenger	Hoekstra	Sanford
Cubin	Inglis	Schiff
Deutsch	Kilpatrick	Smith (OR)
Diaz-Balart	Kingston	