

The concurrent resolution (H. Con. Res. 260) was agreed to.

The preamble was agreed to.

NATIONAL STALKING AWARENESS MONTH

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Con. Res. 10.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 10) raising awareness and encouraging prevention of stalking by establishing January 2006 as "National Stalking Awareness Month".

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

Mr. FRIST. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 10) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 10

Whereas an estimated 1,006,970 women and 370,990 men are stalked annually in the United States and, in the majority of such cases, the person is stalked by someone who is not a stranger;

Whereas 81 percent of women who are stalked by an intimate partner are also physically assaulted by that partner, and 76 percent of women who are killed by an intimate partner were also stalked by that intimate partner;

Whereas 26 percent of stalking victims lose time from work as a result of their victimization and 7 percent never return to work;

Whereas stalking victims are forced to take drastic measures to protect themselves, such as relocating, changing their addresses, changing their identities, changing jobs, and obtaining protection orders;

Whereas stalking is a crime that cuts across race, culture, gender, age, sexual orientation, physical and mental ability, and economic status;

Whereas stalking is a crime under Federal law and under the laws of all 50 States and the District of Columbia;

Whereas rapid advancements in technology have made cyber-surveillance the new frontier in stalking;

Whereas there are national organizations, local victim service organizations, prosecutors' offices, and police departments that stand ready to assist stalking victims and who are working diligently to craft competent, thorough, and innovative responses to stalking;

Whereas there is a need to enhance the criminal justice system's response to stalking and stalking victims, including aggressive investigation and prosecution; and

Whereas Congress urges the establishment of January, 2006 as National Stalking Awareness Month: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) it is the sense of Congress that—

(A) National Stalking Awareness Month provides an opportunity to educate the people of the United States about stalking;

(B) all Americans should applaud the efforts of the many victim service providers, police, prosecutors, national and community organizations, and private sector supporters for their efforts in promoting awareness about stalking; and

(C) policymakers, criminal justice officials, victim service and human service agencies, nonprofits, and others should recognize the need to increase awareness of stalking and availability of services for stalking victims; and

(2) Congress urges national and community organizations, businesses in the private sector, and the media to promote, through National Stalking Awareness Month, awareness of the crime of stalking.

NATIONAL MILITARY FAMILY MONTH

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 9 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 9) expressing the sense of the Senate regarding designation of the month of November as "National Military Family Month".

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

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment which is at the desk be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The amendment (No. 2520) was agreed to, as follows:

AMENDMENT NO. 2520

On page 2, line 2, strike " ; and" and all that follows to the end.

The resolution (S. Res. 9), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble reads as follows:

S. RES. 9

Whereas military families, through their sacrifices and their dedication to our Nation and its values, represent the bedrock upon which our Nation was founded and upon which our Nation continues to rely in these perilous and challenging times: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) that the month of November should be designated as "National Military Family Month"; and

(2) to request that the President—

(A) designate the month of November as "National Military Family Month"; and

(B) issue a proclamation calling upon the people of the United States to observe the

month with appropriate ceremonies and activities.

AMENDING THE ETHICS IN GOVERNMENT ACT OF 1978

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 1558, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1558) to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and extend the public filing requirement for 5 years.

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

Mr. LEAHY. Mr. President, Senator SPECTER and I have introduced a comprehensive court security measure, S. 1968, the Court Security Improvement Act of 2005, CSIA. Our bill responds to requests by the judiciary for a greater voice in working with the United States Marshals Service to determine their security needs. It enacts new criminal penalties for the misuse of restricted personal information to harm or threaten to seriously harm judges, their families or other individuals performing official duties. It also enacts criminal penalties for threatening judges and Federal law enforcement officials by the malicious filing of false liens, provides increased protections for witnesses, and makes available new resources for State courts to improve security for State and local court systems. Finally, it extends life insurance benefits to bankruptcy, magistrate and territorial judges, and health insurance to surviving spouses and families of Federal judges.

One of the provisions of CSIA extends the "sunset" of a provision first enacted in the "Identity Theft and Assumption Deterrence Act of 1998" that grants the Judicial Conference of the United States the authority to redact information from a judge's mandatory financial disclosure in circumstances in which it is determined that the release of the information could endanger the filer or the filer's family. The Specter-Leahy bill also extends the protections of this provision to the family members of filers.

The misuse of this redaction authority has been a matter of some concern to me. I appreciate that the Judicial Conference is seeking to improve its practices. I offer this amendment to S. 1558, which is drawn from CSIA, because none of us wants to see judges or their families endangered. The redaction authority need not expire if there is agreement that it should be continued by reauthorization for another 4-year period before another sunset. Instead, if the Senate adopts our amendment and the House accepts the Senate

bill, the authority will be extended without interruption. I hope that the House will join us without delay both in extending the redaction authority and in expanding the scope of its protections to include family members.

I also hope that we will move quickly to pass the other important provisions of CSIA so that we can better protect the dedicated women and men throughout the judiciary in this country who do a tremendous job under challenging circumstances.

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

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

The amendment (No. 2521) was agreed to, as follows:

AMENDMENT NO. 2521

Strike all after the enacting clause and insert the following:

SECTION 1. PROTECTION OF FAMILY MEMBERS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting “or a family member of that individual” after “that individual”; and

(2) in subparagraph (B)(i), by inserting “or a family member of that individual” after “the report”.

SEC. 2. EXTENSION OF PUBLIC FILING REQUIREMENT.

Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking “2005” each place it appears and inserting “2009”.

The amendment (No. 2522) was agreed to, as follows:

AMENDMENT NO. 2522

(Purpose: To amend the title of the bill.)

At the appropriate place, insert the following:

Amend the title so as to read: “To amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers.”

The bill (S. 1558), as amended, was read the third time and passed, as follows:

S. 1558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROTECTION OF FAMILY MEMBERS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting “or a family member of that individual” after “that individual”; and

(2) in subparagraph (B)(i), by inserting “or a family member of that individual” after “the report”.

SEC. 2. EXTENSION OF PUBLIC FILING REQUIREMENT.

Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amend-

ed by striking “2005” each place it appears and inserting “2009”.

PROHIBITION ON THE TRAFFICKING OF GOODS AND SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 277, S. 1095.

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

The legislative clerk read as follows:

A bill (S. 1095) to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment.

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 1095

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the “Protecting American Goods and Services Act of 2005”.

SEC. 2. PROHIBITION ON TRAFFICKING OF CERTAIN GOODS AND SERVICES.

[(A) IN GENERAL.—Section 2320 of title 18, United States Code, is amended—

[(1) by striking subsection (a) and inserting the following:

[(a)(1) Any person who intentionally traffics or attempts to traffic in goods or services and knowingly uses a counterfeit mark on or in connection with such goods or services—

[(A) if an individual, shall be fined not more than \$2,000,000, imprisoned not more than 10 years, or both; and

[(B) if a person other than an individual, shall be fined not more than \$5,000,000.

[(2) Any person who possesses goods with a counterfeit mark with an intent to traffic such goods—

[(A) if an individual, shall be fined not more than \$2,000,000, or imprisoned not more than 10 years, or both; and

[(B) if a person other than an individual, shall be fined not more than \$5,000,000.

[(3) In the case of an offense by a person under this section that occurs after that person is convicted of another offense under this section, the person—

[(A) if an individual, shall be fined not more than \$5,000,000, imprisoned not more than 20 years, or both; and

[(B) if other than an individual, shall be fined not more than \$15,000,000.”; and

[(2) in subsection (b), by striking paragraph (2) and inserting the following:

[(2) the term ‘traffic’ means—

[(A) transport, transfer, or otherwise dispose of, to another as consideration for anything of value or without consideration; or

[(B) make or obtain control of with intent to so transport, transfer, or dispose of; and”.

[(b) PROHIBITION OF TRANSPORT OF COUNTERFEIT GOODS OR UNAUTHORIZED COPIES AND PHONORECORDS OF COPYRIGHTED WORKS.—

[(1) IN GENERAL.—Chapter 113 of title 18, United States Code, is amended by inserting after section 2320 the following:

[(2) **2320A. Transport of counterfeit goods and unauthorized copyrighted works into or out of the United States**

[(a) DEFINITIONS.—In this section—

[(1) the terms ‘copies’ and ‘phonorecords’ have the respective meanings given under section 101 of title 17;

[(2) the term ‘counterfeit mark’ has the meaning given under section 2320(e)(1); and

[(3) the term ‘United States’ means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

[(b) OFFENSE.—Any person who intentionally transports goods bearing a counterfeit mark or copies or phonorecords of a copyrighted work not authorized by the copyright holder into or out of the United States for the purposes of commercial advantage or private financial gain shall be fined not more than \$100,000, imprisoned not more than 10 years, or both.”.

[(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 113 of title 18, United States Code, is amended by inserting after the item relating to section 2320 the following:

[(2320A. Transport of counterfeit goods and unauthorized copyrighted works into or out of the United States.”.]

SECTION 1. TRAFFICKING DEFINED.

(a) COUNTERFEIT GOODS OR SERVICES.—Section 2320(e) of title 18, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) the term ‘traffic’ means to transport, transfer, or otherwise dispose of, to another, for purposes of commercial advantage or private financial gain, or to make, import, export, obtain control of, or possess, with intent to so transport, transfer, or otherwise dispose of;”;

(2) by redesignating paragraph (3) as paragraph (4) and inserting the following:

“(3) the term ‘financial gain’ includes the receipt, or expected receipt, of anything of value; and”.

(b) CONFORMING AMENDMENTS.—

(1) SOUND RECORDINGS AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES.—Section 2319A(e) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) the term ‘traffic’ has the same meaning as in section 2320(e) of this title.”.

(2) COUNTERFEIT LABELS FOR PHONORECORDS, COMPUTER PROGRAMS, ETC.—Section 2318(b) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) the term ‘traffic’ has the same meaning as in section 2320(e) of this title.”.

(3) ANTI-BOOTLEGGING.—Section 1101 of title 17, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) DEFINITION.—As used in this section, the term ‘traffic’ has the same meaning as in section 2320(e) of title 18, United States Code.”.

Mr. CORNYN. Mr. President, I rise today to thank my colleagues for joining me in the fight against global counterfeiting—a plague on our economy, on the safety of our citizens, and on our national security.

S. 1095, the Protecting American Goods and Services Act, or PAGS, is important legislation designed to combat the trafficking of illegitimate goods throughout the world—and I look forward to working with our colleagues in the House of Representatives to send it to the President.

I am particularly pleased to work with Senator LEAHY in our continued bipartisan effort to protect intellectual property rights as well as to work on other important issues. Recently, we have worked together on a matter near