

good will of the business connected with the use of and symbolized by any other mark used in the business or by the name or style under which the business is conducted.

“(3) Assignments shall be by instruments in writing duly executed. Acknowledgment shall be prima facie evidence of the execution of an assignment, and when the prescribed information reporting the assignment is recorded in the United States Patent and Trademark Office, the record shall be prima facie evidence of execution.

“(4) An assignment shall be void against any subsequent purchaser for valuable consideration without notice, unless the prescribed information reporting the assignment is recorded in the United States Patent and Trademark Office within 3 months after the date of the assignment or prior to the subsequent purchase.

“(5) The United States Patent and Trademark Office shall maintain a record of information on assignments, in such form as may be prescribed by the Commissioner.

“(b) An assignee not domiciled in the United States may designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with that person or mailing to that person a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, or if the assignee does not designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark, such notices or process may be served upon the Commissioner.”

(6) Section 23(c) (15 U.S.C. 1091(c)) is amended by striking the second comma after “numeral”.

(7) Section 33(b)(8) (15 U.S.C. 1115(b)(8)) is amended by aligning the text with paragraph (7).

(8) Section 34(d)(1)(A) (15 U.S.C. 1116(d)(1)(A)) is amended by striking “section 110” and all that follows through “(36 U.S.C. 380)” and inserting “section 220506 of title 36, United States Code.”

(9) Section 34(d)(1)(B)(ii) (15 U.S.C. 1116(d)(1)(B)(ii)) is amended by striking “section 110” and all that follows through “(36 U.S.C. 380)” and inserting “section 220506 of title 36, United States Code.”

(10) Section 34(d)(11) is amended by striking “6621 of the Internal Revenue Code of 1954” and inserting “6621(a)(2) of the Internal Revenue Code of 1986”.

(11) Section 35(b) (15 U.S.C. 1117(b)) is amended—

(A) by striking “section 110” and all that follows through “(36 U.S.C. 380)” and inserting “section 220506 of title 36, United States Code.”; and

(B) by striking “6621 of the Internal Revenue Code of 1954” and inserting “6621(a)(2) of the Internal Revenue Code of 1986”.

(12) Section 44(e) (15 U.S.C. 1126(e)) is amended by striking “a certification” and inserting “a true copy, a photocopy, a certification.”

SEC. 9. PATENT AND TRADEMARK FEE CLERICAL AMENDMENT.

The Patent and Trademark Fee Fairness Act of 1999 (113 Stat. 1537–546 et seq.), as enacted by section 1000(a)(9) of Public Law 106–113, is amended in section 4203, by striking “111(a)” and inserting “1113(a)”.

SEC. 10. COPYRIGHT RELATED CORRECTIONS TO 1999 OMNIBUS REFORM ACT.

Title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, as en-

acted by section 1000(a)(9) of Public Law 106–113, is amended as follows:

(1) Section 1007 is amended—

(A) in paragraph (2), by striking “paragraph (2)” and inserting “paragraph (2)(A)”;

(B) in paragraph (3), by striking “1005(e)” and inserting “1005(d)”.

(2) Section 1006(b) is amended by striking “119(b)(1)(B)(iii)” and inserting “119(b)(1)(B)(ii)”.

(3)(A) Section 1006(a) is amended—

(i) in paragraph (1), by adding “and” after the semicolon;

(ii) by striking paragraph (2); and

(iii) by redesignating paragraph (3) as paragraph (2).

(B) Section 1011(b)(2)(A) is amended to read as follows:

“(A) in paragraph (1), by striking ‘primary transmission made by a superstation and embodying a performance or display of a work’ and inserting ‘performance or display of a work embodied in a primary transmission made by a superstation or by the Public Broadcasting Service satellite feed.’”

SEC. 11. AMENDMENTS TO TITLE 17, UNITED STATES CODE.

Title 17, United States Code, is amended as follows:

(1) Section 119(a)(6) is amended by striking “of performance” and inserting “of a performance”.

(2)(A) The section heading for section 122 is amended by striking “rights; secondary” and inserting “rights: Secondary”.

(B) The item relating to section 122 in the table of contents for chapter 1 is amended to read as follows:

“122. Limitations on exclusive rights: Secondary transmissions by satellite carriers within local markets.”

(3)(A) The section heading for section 121 is amended by striking “reproduction” and inserting “Reproduction”.

(B) The item relating to section 121 in the table of contents for chapter 1 is amended by striking “reproduction” and inserting “Reproduction”.

(4)(A) Section 106 is amended by striking “107 through 121” and inserting “107 through 122”.

(B) Section 501(a) is amended by striking “106 through 121” and inserting “106 through 122”.

(C) Section 511(a) is amended by striking “106 through 121” and inserting “106 through 122”.

(5) Section 101 is amended—

(A) by moving the definition of “computer program” so that it appears after the definition of “compilation”; and

(B) by moving the definition of “registration” so that it appears after the definition of “publicly”.

(6) Section 110(4)(B) is amended in the matter preceding clause (i) by striking “conditions;” and inserting “conditions:”.

(7) Section 118(b)(1) is amended in the second sentence by striking “to it”.

(8) Section 119(b)(1)(A) is amended—

(A) by striking “transmitted” and inserting “retransmitted”; and

(B) by striking “transmissions” and inserting “retransmissions”.

(9) Section 203(a)(2) is amended—

(A) in subparagraph (A)—

(i) by striking “(A) the” and inserting “(A) The”; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (B)—

(i) by striking “(B) the” and inserting “(B) The”; and

(ii) by striking the semicolon at the end and inserting a period; and

(C) in subparagraph (C), by striking “(C) the” and inserting “(C) The”.

(10) Section 304(c)(2) is amended—

(A) in subparagraph (A)—

(i) by striking “(A) the” and inserting “(A) The”; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (B)—

(i) by striking “(B) the” and inserting “(B) The”; and

(ii) by striking the semicolon at the end and inserting a period; and

(C) in subparagraph (C), by striking “(C) the” and inserting “(C) The”.

(11) The item relating to section 903 in the table of contents for chapter 9 is amended by striking “licensure” and inserting “licensing”.

SEC. 12. OTHER COPYRIGHT RELATED TECHNICAL AMENDMENTS.

(a) AMENDMENT TO TITLE 18.—Section 2319(e)(2) of title 18, United States Code, is amended by striking “107 through 120” and inserting “107 through 122”.

(b) STANDARD REFERENCE DATA.—(1) Section 105(f) of Public Law 94–553 is amended by striking “section 290(e) of title 15” and inserting “section 6 of the Standard Reference Data Act (15 U.S.C. 290e)”.

(2) Section 6(a) of the Standard Reference Data Act (15 U.S.C. 290e) is amended by striking “Notwithstanding” and all that follows through “United States Code,” and inserting “Notwithstanding the limitations under section 105 of title 17, United States Code.”

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet to conduct a business meeting during the session of the Senate on Thursday, November 15, 2001. The purpose of this business meeting will be to discuss the new Federal Farm bill.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 15, 2001, at 10 a.m., to conduct a hearing on the nomination of Mr. Allen I. Mandelowitz, of Connecticut, to be a director of the Federal Housing Finance Board; Mr. Franz Leichter, of New York, to be a Director of the Federal Housing Finance Board; Mr. John Thomas Korsmo, of North Dakota, to be a Director of the Federal Housing Finance Board; Mr. Eduardo Aguirre, Jr., of Texas, to be First Vice President of the Export-Import Bank of the United States; and Mr. Randall Scott Kroszner, of Illinois, to be a member of the Council of Economic Advisors.

The Committee will also vote on the nominations of Mr. Mark W. Olson, of Minnesota, to be a member of the Board of Governors of the Federal Reserve System; Dr. Susan Schmidt Bies, of Tennessee, to be a member of the

Board of Governors of the Federal Reserve System; and Mr. James Gilleran, of California, to be Director of the Office of Thrift Supervision.

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

COMMITTEE ON COMMERCE, SCIENCE AND
TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, November 15, 2001, at 10 a.m., on the nomination of William Schubert to be Administrator of the Maritime Administration of the Department of Transportation.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Thursday, November 15, 2001, at 9:30 a.m., to conduct a hearing on how S. 556 would affect the environment, the economy, and any improvements or amendments that should be made to the legislation. The hearing will be held in room SD-406.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, November 15, 2001, at 1 p.m., to consider the nomination of Richard Clarida to be Assistant Secretary of Treasury for Economic Policy; Kenneth Lawson to be Assistant Secretary of Treasury for Enforcement; B. John Williams, Jr., to be Chief Counsel/Assistant General Counsel for the Internal Revenue Service; Janet Hale to be Assistant Secretary of Health and Human Services for Budget, Technology and Finance; Joan E. Ohl, to be Commissioner of Children, Youth and Family Administration, Department of Health and Human Services; James B. Lockhart III, to be Deputy Commissioner of the Social Security Administration; and Harold Daub to be a Member of the Social Security Advisory Board.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, November 15, 2001, at 3:00 p.m., to hold a hearing titled, "Humanitarian Crisis: Is Enough Aid Reaching Afghanistan."

Witnesses

Panel 1: Carol Bellamy, Executive Director, UNICEF, New York City, NY; Catherine Bertini, Executive Director, World Food Program, Washington, DC;

and Guenet Guebre-Christos, Representative, United Nations High Commission for Refugees, Washington, DC.

Panel 2: Joel Charny, Vice-President, Refugees International, Washington, DC, and Peter Bell, President, CARE International, Atlanta, GA.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, November 15, 2001, at 9:30 a.m., to hold a hearing entitled "Oversight of the Centers for Medicare and Medicaid Services: Medicare Payment Policies for Ambulance Services."

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

SUBCOMMITTEE ON EMERGING THREATS AND
CAPABILITIES

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, November 15, 2001, at 2:30 p.m., in open and closed session to receive testimony on terrorist organizations and motivations.

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

PRIVILEGES OF THE FLOOR

Mr. KOHL. Mr. President, I ask unanimous consent that Dan Dager, a detailee on my staff, be granted the privilege of the floor during the Senate's consideration of H.R. 2230, the Agriculture Appropriations Act for fiscal year 2002.

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

Mr. GREGG. Madam President, I ask unanimous consent that a member of my staff, Nancy Perkins, have floor privileges during the pendency of this bill.

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

Mr. GRAHAM. Madam President, I ask unanimous consent that a member of my staff, Shawn Fitzpatrick, be granted the privilege of the floor for the duration of the debate on H.R. 1552.

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

ORDERS FOR FRIDAY, NOVEMBER
16, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. tomorrow, Friday, November 16; that 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 be re-

served for their use later in the day, and the Senate be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. REID. Mr. President, I do not believe there is any further business to come before the Senate this evening. I therefore ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:34 p.m., adjourned until Friday, November 16, 2001, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate November 15, 2001:

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

VICKERS B. MEADOWS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE MARILYN A. DAVIS.

DEPARTMENT OF ENERGY

BEVERLY COOK, OF IDAHO, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENT, SAFETY AND HEALTH), VICE DAVID MICHAELS, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

J. PAUL GILMAN, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE NORINE E. NOONAN, RESIGNED.
MORRIS X. WINN, OF TEXAS, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE ROMULO L. DIAZ, JR., RESIGNED.

DEPARTMENT OF THE TREASURY

EDWARD KINGMAN, JR., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE LISA GAYLE ROSS, RESIGNED.
EDWARD KINGMAN, JR., OF MARYLAND, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY, VICE LISA GAYLE ROSS, RESIGNED.

DEPARTMENT OF STATE

ARTHUR E. DEWEY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF STATE (POPULATION, REFUGEES, AND MIGRATION), VICE JULIA TAFT.

DEPARTMENT OF COMMERCE

LOUIS KINCANNON, OF VIRGINIA, TO BE DIRECTOR OF THE CENSUS, VICE KENNETH PREWITT, RESIGNED.

DEPARTMENT OF JUSTICE

MICHAEL A. BATTLE, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NEW YORK FOR A TERM OF FOUR YEARS, VICE DENISE E. O'DONNELL, RESIGNED.

SMALL BUSINESS ADMINISTRATION

MELANIE SABELHAUS, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE FRED P. HOCHBERG.

IN THE ARMY

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

To be colonel

MARION S. CORNWELL, 0000
JAMES J. ELLIOTT, 0000
MARK E. GANTS, 0000
HUGH E. HODGES, 0000
MARC E. MATTIX, 0000
LEE M. PHLO, 0000
GROVER C. RITCHIE III, 0000
GARY L. WHITE, 0000

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

To be colonel

CHERYL A. ADAMS, 0000
SHEILA E. DOMINGUEZ, 0000
MARK A. GALANTOWICZ, 0000
HELEN L. GANT, 0000