GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE
Washington, D.C. 20230

AUG 27 2008

The Honorable Richard B. Cheney
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Enclosed is a draft bill to amend title 35, United States Code, to authorize expenditure of funds for certain travel-related expenses of non-federal employees attending programs regarding intellectual property law and the effectiveness of intellectual property protection.

A recent decision of the Office of Legal Counsel of the Department of Justice interpreting 31 U.S.C. § 1345 casts serious doubt on whether the U.S. Patent and Trademark Office (USPTO) may fund the travel-related expenses of non-federal participants in the USPTO's Global Intellectual Property Academy training and USPTO's international intellectual property seminars. The bill would remove any doubt about whether 31 U.S.C. § 1345 applies to USPTO programs.

The Office of Management and Budget advises that there is no objection to the submission of this draft bill and that its enactment would be consistent with the program of the President. If you have any further questions, please contact me or Nathaniel F. Wienecke, Assistant Secretary for Legislative and Intergovernmental Affairs, at 482-3663.

Very truly yours,

Lily Fu Claffee

Enclosures

Identical Letters Sent to:

The Honorable Harry Reid
Senate Majority Leader
United States Senate
Washington, D.C. 20510-7010

The Honorable Mitch McConnell
Senate Minority Leader
United States Senate
Washington, D.C. 20510-7020

The Honorable Patrick J. Leahy
Chairman, Committee on the Judiciary
United States Senate
Washington, D.C. 20510-6275

The Honorable Arlen Specter
Ranking Member, Committee on the Judiciary
United States Senate
Washington, D.C. 20510-6275

The Honorable Nancy Pelosi
Speaker of the House
of Representatives
Washington, D.C. 20515-6501

The Honorable Steny H. Hoyer
Majority Leader
House of Representatives
Washington, D.C. 20515-6502

The Honorable John A. Boehner
Republican Leader
House of Representatives
Washington, D.C. 20515-6537

The Honorable John Conyers
Chairman, Committee on the Judiciary
House of Representatives
Washington, D.C. 20515-6216

The Honorable Lamar Smith
Ranking Member
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515-6216

The Honorable Howard Berman
Chairman, Subcommittee on Courts,
the Internet, and Intellectual Property
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515-6216

The Honorable Howard Coble
Ranking Member, Subcommittee on Courts,
the Internet, and Intellectual Property
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515-6216