

SEC. 6. TECHNICAL CORRECTIONS.

(a) **DEFINITIONS.**—Section 101 is amended—
(1) by moving the definition of “Copyright Royalty Judges” to follow the definition of “Copyright owner”;

(2) by moving the definition of “motion picture exhibition facility” to follow the definition of “Literary works”; and

(3) by moving the definition of “food service or drinking establishment” to follow the definition of “fixed”;

(b) **LICENSES FOR WEBCASTING.**—Section 114(f)(2)(B) is amended in the fourth sentence, in the matter preceding clause (i), by striking “Judges shall base its decision” and inserting “Judges shall base their decision”.

(c) **SATELLITE CARRIERS.**—Section 119(g)(4)(B)(vi) is amended by striking “the examinations” and inserting “an examination”.

(d) **REMEDIES FOR INFRINGEMENT.**—Section 503(a)(1)(B) is amended by striking “copies of phonorecords” and inserting “copies or phonorecords”.

(e) **RETENTION OF COPIES IN COPYRIGHT OFFICE.**—Section 704(e) is amended, in the second sentence, by striking “section 708(a)(10)” and inserting “section 708(a)”.

(f) **CORRECTION OF INTERNAL REFERENCES.**—(1) Section 114(b) is amended by striking “118(g)” and inserting “118(f)”.

(2) Section 504(c)(2) is amended by striking “subsection (g) of section 118” and inserting “section 118(f)”.

(3) Sections 1203(c)(5)(B)(i) and 1204(b) are each amended by striking “118(g)” and inserting “118(f)”.

(g) **PRO-IP ACT.**—Section 209(a)(3)(A) of Public Law 110–403 is amended by striking “by striking ‘and 509’” and inserting “by striking ‘and section 509’”.

(h) **TRADEMARK TECHNICAL AMENDMENTS ACT.**—Section 4(a)(1) of Public Law 111–146 is amended by striking “by corporations attempting” and inserting “the purpose of which is”.

(i) **TRAFFICKING.**—Section 2318(e)(6) of title 18, United States Code, is amended by striking “under section” and inserting “under this subsection”.

Amend the title so as to read: “An Act to clarify, improve, and correct the laws relating to copyrights, and for other purposes.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material to the measure under discussion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I yield myself as much time as I may consume.

Mr. Speaker, this measure, entitled the Copyright Cleanup, Clarification, and Corrections Act, is a common-sense, proactive response to unintended errors and confusion in copyright law. This bill updates and improves the way the Copyright Office conducts its business by making some changes, mainly streamlining the copyright registry process by authorizing the Copyright

Office to accept electronic signatures when users file documents. It also eliminates the requirement that the Copyright Office keep a hard copy of a directory they already make available to the public online. This hard copy has taken over several shelves in their office but is seldom consulted by the public.

The measure before us also clarifies some ambiguities in the copyright code. For example, in 1997, Congress amended the copyright code to clarify that copyright owners do not forfeit their rights in a work if they distributed it prior to 1978 without a copyright notice. However, while Congress made this fix for musical works distributed by phonograph, it neglected to specifically identify dramatic and literary works that were also distributed by phonograph. We make that correction in this bill before us. Finally, it corrects in this measure a number of technical errors, just dotting the I's and crossing the T's. I support the legislation. I commend the committee that worked on it.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

The copyright bill before us today is an important housekeeping measure that contains largely technical and clarifying amendments to title 17 of the United States Code. For the few changes that are more substantive in nature, they are noncontroversial and are recognized as improvements to a code that is all too often perceived as complex.

S. 3689, the Copyright Cleanup, Clarification, and Corrections Act of 2010, was originally introduced and passed by the other body on the 2nd day of August. Since that time, the House Committee on the Judiciary has worked in a bipartisan manner to consider the measure and to incorporate modest improvements to the bill.

While I expect the majority to detail most of the bill's provisions, I do want to note some significant provisions, including an important change from the measure that passed the other body in August. That change is in the deletion of language contained in section 4(a) that would amend the Copyright Act to permit the owner of an exclusive right to sublicense that right or further transfer it if the original copyright owner had not expressly prohibited these actions in a prior written agreement.

This provision raised a number of concerns among copyright owners who feared that those who had relied on a prior judicial decision in the case of *Gardner v. Nike* might be disadvantaged by such a change. In recognition of these serious concerns, both the chairman and ranking member agreed this issue ought not be addressed in this measure.

□ 1530

Another substantive improvement that is worth noting is contained in

section 5(b) of the bill, as amended. That provision makes clear that regulations issued by the copyright royalty judges are to be approved by the Librarian of Congress and subject to review of Federal courts.

This bill also contains one amendment to trademark as opposed to copyright law. That amendment, which is contained in section 6(h), amends a study requirement that was included in Public Law 111–146, the Trademark Technical Amendments Act, earlier this year.

In closing, the purpose of S. 3689, the Copyright Cleanup, Clarification, and Corrections Act of 2010, is to make modest but needed changes to the Copyright Act. I urge my colleagues to suspend the rules and pass the bill with the amendments contained herein.

I yield back the balance of my time.

Mr. CONYERS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, S. 3689, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CONYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING THE 50TH ANNIVERSARY OF SCHOOL DESEGREGATION BY RUBY BRIDGES

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1713) recognizing the 50th anniversary of Ruby Bridges desegregating a previously all-White public elementary school.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1713

Whereas, on May 17, 1954, the United States Supreme Court announced in *Brown v. Board of Education* (347 U.S. 483) that, “in the field of education, the doctrine of ‘separate but equal’ has no place”;

Whereas the *Brown* decision recognized as a matter of law that the segregation of public schools deprived students of the equal protection of the laws under the Fourteenth Amendment to the Constitution of the United States;

Whereas in 1960, six years after the landmark *Brown v. Board of Education* decision, the promise of access and equality within the realm of education remained unfilled in New Orleans, Louisiana, and throughout much of the Nation;

Whereas in 1960, the National Association for the Advancement of Colored People (NAACP) contacted Ruby Bridges' family to solicit her participation in the integration of New Orleans public schools;

Whereas six years after the Brown decision, on November 14, 1960, Ruby Bridges, at the age of six, was the first African-American child to integrate the previously all-White William Frantz Elementary School;

Whereas Ruby Bridges courageously took the first step into a desegregated future made possible by the Supreme Court's historic ruling in the Brown decision;

Whereas Ruby Bridges was the only student in her class for an entire year, taught by the only remaining teacher, Mrs. Barbara Henry, after the other teachers and students withdrew from the school in a gesture of disapproval of desegregation;

Whereas Ruby Bridges was a pioneer in the movement for an integrated public education system that afforded equal educational opportunities to all, regardless of race;

Whereas in the face of verbal abuse and unveiled bigotry, Ruby Bridges exhibited the courage and equanimity of a person many times her age;

Whereas Norman Rockwell's *The Problem We All Live With* offers a depiction of Ruby Bridges' uncanny resolve and singularity of purpose in the face of adversity as she attended her first day of school;

Whereas Ruby Bridges' story is symbolic of the victorious dismantling of school segregation, as well as the full and equal participation in United States society to which all citizens are entitled;

Whereas the significance of Ruby Bridges' actions have been acknowledged with numerous awards and recognitions, including the Presidential Citizens Medal awarded by President William Jefferson Clinton in 2001; and

Whereas Ruby Bridges was among the first in a line of civil rights pioneers that paved the way for the eventual desegregation of all public schools in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 50th anniversary of Ruby Bridges desegregating a previously all-White public elementary school;

(2) encourages people in the United States to recognize the historical importance of the desegregation of elementary schools and Ruby Bridges, who not only secured integration for William Frantz Elementary School, but hundreds of thousands of schools across the Nation; and

(3) commits itself, in the wake of recent challenges, to continuing the legacy of Brown v. Board of Education by protecting and advancing equal educational opportunity for all.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

This resolution is to recognize and honor the 50th anniversary of Ruby

Bridges, who helped desegregate a previously all-white public elementary school. This is the 50th anniversary, yesterday, actually, of the integration of the William Frantz public school located in New Orleans, Louisiana.

I had the pleasure of meeting Ruby Bridges once, and she's a very impressive lady. On November 14, 1960, she became the first African American student to attend the school, and one of the first African American students to integrate an elementary school in the South.

My commendation goes to our colleague, the great civil rights leader, JOHN LEWIS of Georgia, for offering this resolution that commemorates this significant occasion.

In recognizing this civil rights and education milestone, I want to point out that the success of the civil rights movement itself was due in large part to the resolve of young people, men and women of all races and backgrounds, who were courageous enough to take a stand against racial injustice in America.

The famous artist, Norman Rockwell, caught this in a famous painting of this little 6-year-old girl escorted into the school by United States marshals, a girl only seeking a decent and equitable education. Little did she probably know that she would be making history. But she wanted to go to school. She wanted to learn. And she had no idea that there were people and forces that would stand in her way and do everything in their power to make sure that her simple personal objective would not be accomplished.

And so the incredible thing that is the reaction against this attempt of a first grader was so complete that she was the only member in her class that semester. And by the time she got to the sixth grade, this elementary school was finally integrated.

Now, this realized the promise of the 1954 case that we're all familiar with, *Brown v. The Board of Education*, and the separate but equal realm of education. And it's worth observing, and to have our history brought back to us by this great colleague of Dr. Martin Luther King, JOHN LEWIS, whose heroic courage as a young man himself is yet another chapter in this remarkable history of America turning around a long history of segregated practices in America.

The success of the Montgomery bus boycott, led by my dear friend, Rosa Parks, and the late Dr. Martin Luther King, Jr. was the foundation upon which Ruby Bridges could begin school at William Frantz Elementary. And her actions on November 14, 1960, served as the foundation for even further achievements yet to come.

And so following her first day of the first grade, the 1960 sit-in movement and the civil rights activity that followed called attention to segregated lunch counters and public facilities, not only in the South, but throughout the country. And so later that year,

during the freedom rides, segregated restaurants and waiting areas in interstate bus terminals were successfully challenged.

And so this all culminated into what?

Well, the Civil Rights Act of 1964 and the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

And so Ruby Bridges continues her struggle today. She's working to ensure that the school she integrated is an institution that affords children of all races a quality education.

And the struggle of JOHN LEWIS continues today as now, at the Federal level. He helps create and implement the laws that started not so many years ago when this 6-year-old began her quest for a fair and just and equal society, not only in the realm of education, but in all America to make it a real democracy.

Mr. Speaker, I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself as much time as I may consume.

I want to thank Representative JOHN LEWIS, the gentleman from Georgia, for authoring this legislation and for his long, long work, many years in the civil rights movement, along with the chairman, for bringing this legislation to the House floor and his work in the civil rights movement.

This resolution recognizes and honors the 50th anniversary of Ruby Bridges. Now, unlike the chairman, I think 50 years was a long time ago, but maybe it wasn't. But it was 50 years any way you look at it since Ruby Bridges played a role in desegregating a previously all-white public elementary school in the South.

□ 1540

I was in elementary school at the same time she was, but not the same school having been in Texas and going to school there.

In 1954, this all started when the United States Supreme Court made possible desegregation of American schools in *Brown v. Board of Education*. Six years later, Ruby Bridges, an African American child, a first grader, would help further the goal of the Court's decision in *Brown v. Board of Education*.

Sometimes we have to leave it up to the kids to get things done. In this case, it was a first grader, a 6-year-old in elementary school who just wanted to go to school, and she was determined to get an education.

In 1960, she had started to attend William Frantz Elementary School. It was an all-white school in New Orleans, Louisiana, in the New Orleans school system. She endured hateful crowds and threats to her physical safety. White parents initially pulled their kids out of the school, and only one teacher taught Bridges for more than a year.

Robert Coles, a child psychiatrist who provided counseling to this young girl, later wrote a book, a children's

book called "The Story of Ruby Bridges," to educate other children about this child's role in desegregating not just one school but really, in essence, all the schools in the United States both in the South and the North.

The courage demonstrated by Bridges and her parents continues to serve as an inspiration for children and adults. After 50 years, her example still encourages us to uphold the principles of equality and respect in our own lives and in our own culture. I urge my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I would like to remind Judge POE that if he had been around during the Hayes-Tilden episode, 50 years wouldn't seem so long to him, either.

I now turn to JOHN LEWIS and yield him such time as he may consume.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend, the chairman, Mr. CONYERS, for bringing this resolution to the floor, and I want to thank Mr. POE for his support for this resolution. The two gentlemen are right.

Fifty years ago today, a brave African American, a 6-year-old girl, young Ruby Bridges, walked bravely to the doors of the previously all-white William Frantz Elementary School in New Orleans, Louisiana.

It was not your typical first day of school. This little girl walked to her new school with her mother and armed Federal agents. She was not met with the smiles of schoolyard friends. She was met with screaming, angry mobs of people who did not want her to be there. In protest, parents withdrew every other student from her class. The only remaining teacher, Mrs. Barbara Henry, attended school each and every day to teach young Ruby.

Ruby Bridges was born the year that the United States Supreme Court handed down the historic *Brown v. Board of Education* decision. They struck down the doctrine of "separate but equal" schools. Yet, 6 years after that historic decision, Louisiana and much of the South had yet to make Brown's promise of equality a reality. It took courage, nothing but the raw courage of a little girl, to integrate the schools in Louisiana. In the face of verbal abuse, threats, and unveiled hatred, Ruby Bridges learned to drown out the shouts with her prayers.

Little did she know on that first day of school 50 years ago that her image, immortalized in the painting of Norman Rockwell, would symbolize the end of segregation in schools.

Her story is the story of our Nation. She paved the way for integrated public schools all across the United States.

Today, Mr. Speaker, I ask all of my colleagues to pause and recognize the 50th anniversary of Ruby Bridges' courageous walk to school. I encourage all of my colleagues and all Americans to reflect on the historic *Brown* decision

and importance of desegregating of schools. I ask all of my colleagues to support this resolution and recommit ourselves to equality in education for all Americans.

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. CAO), who not only is from Louisiana, he is from New Orleans, Louisiana.

Mr. CAO. Mr. Speaker, today I rise in support of this important resolution. I also congratulate my friend and colleague, Mr. LEWIS, for his leadership in bringing this to the floor today. I have the greatest pleasure of standing by Mr. LEWIS, and I value his friendship greatly.

In 1956, at a time when race relations were stressed in the South, the Orleans Parish School Board was ordered to develop a plan to desegregate its schools. After a 4-year delay, a plan designed by the United States Eastern District Court of Louisiana was ordered to be carried out.

It was at that moment that a young girl by the name of Ruby Bridges became one of the first black children to attend an integrated school.

Upon her arrival, every white parent came to remove their child from the elementary school Ms. Bridges was attending. All but one white teacher refused to teach, and it was that teacher who instructed Ruby in a room by herself for a full year.

This experience did not deter Ruby who not only completed her education, but went on to found the Ruby Bridges Foundation, which has a clear and profound message: To promote the value of tolerance, respect, and appreciation of all differences.

I was honored to meet Ms. Bridges in my New Orleans office last October. She is truly an extraordinary woman who has dedicated her life to service. At a time when my district is still fighting to rebuild its schools and provide for a stable and safe environment for our children, I am thankful to have her as an inspiration for all in rebuilding our communities today, tomorrow, and beyond.

I am proud to note that as we reflect on a turning point in our Nation's history, it was the bravery of one New Orleanian who helped make it happen.

Mr. Speaker, I urge my colleagues to support this resolution honoring the 50th anniversary of Ruby Bridges.

Mr. CONYERS. I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I want to thank the chairman for bringing not just this legislation, but all the legislation that has been brought up today to the House floor, and to emphasize the point that he made: Good legislation, most important legislation, is bipartisan legislation. What most Americans don't realize, most legislation is bipartisan that is passed through this House, and it will continue to be so.

I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I am so glad that we were able to reveal this

important part of American history, not just through our colleagues but through our countrymen. I share the spirit of the remarks of my friend on the Judiciary Committee, Judge POE.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1713, "Recognizing and Honoring the 50th Anniversary of Ruby Bridges Desegregation of a Previously All-White Elementary School." Let me begin by thanking my colleague, Representative JOHN LEWIS, for introducing this legislation into the House of Representatives as it is important that we recognize the great strides of the minority citizens of this country.

In so doing, we remind America that she must never serve on her citizens the atrocities that occurred to the African-American under her watchful legal eye. This legislation celebrates the life of Ruby Bridges, born in Mississippi during a very turbulent era. It acknowledges a citizen's courageousness in holding America to the language of her landmark ruling—*Brown v. Board of Education*.

Ruby Bridges acknowledges that growing up for her presented a very hard life. Having heard there were better opportunities in the city, Bridges moved along with her family, to New Orleans. While in New Orleans, the public schools were finally forced, under federal court order, to desegregate.

In the spring of 1960, Bridges took a test, along with other black kindergarteners in the city, to see if she would go to an integrated school come September. That summer she and her parents learned she passed the test and had been selected to start first grade at William Frantz Public School.

On the morning of November 14 federal marshals drove her and her mother the five blocks to William Frantz.

We applaud Ruby Bridges for her stalwart tenacity and her courage, at such a young age, to be an advocate for change in America.

Mr. CONYERS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 1713.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CONYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 3 o'clock and 50 minutes p.m.), the House stood in recess until approximately 6 p.m.