

it. Congress made this clarification with respect to musical works in 1997, and we do so with respect to other works today.

In the third category, the bill includes numerous technical corrections. Finally, this legislation fulfills a commitment I made to the chairman and ranking member of the House of Representatives Committee on the Judiciary just before the House passed the Trademark Technical and Confirming Amendments Act. The chairman and ranking member suggested that we strike the words “by corporations” from section 4 of that law. I agreed, and offered to include such an amendment in subsequent legislation. That change is included in this bill.

I am pleased to be joined by the Judiciary Committee ranking member, Senator SESSIONS, in sponsoring this legislation. This is a bipartisan effort. Just as we acted quickly to pass the Trademark Technical and Confirming Amendments Act earlier this year, I hope Congress will come together to promptly send this legislation to the President to be signed into law.

Mr. DODD. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The bill (S. 3689) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3689

*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 “Copyright Cleanup, Clarification, and Corrections Act of 2010”.

#### SEC. 2. COPYRIGHT OFFICE PROCEDURES.

Title 17, United States Code, is amended—

(1) in section 512(c)(2), in the matter following subparagraph (B), by striking “, in both electronic and hard copy formats”; and

(2) in section 205(a), by adding at the end the following: “A sworn or official certification may be submitted to the Copyright Office electronically, pursuant to regulations established by the Register of Copyrights.”.

#### SEC. 3. REPEAL OF EXPIRED PROVISIONS.

(a) TECHNICAL AMENDMENTS RELATED TO CHAPTER 6.—

(1) The heading for chapter 6 of title 17, United States Code, is amended to read as follows:

“CHAPTER 6—IMPORTATION AND EXPORTATION.”.

(2) The item relating to chapter 6 in the table of chapters for title 17, United States Code, is amended to read as follows:

“6. Importation and Exportation ..... 601.”.

(b) REPEAL.—Section 601 of title 17, United States Code, is hereby repealed and reserved.

(c) CONFORMING AMENDMENTS.—

(1) Section 409 of title 17, United States Code, is amended—

(A) in paragraph (9), by insert “and” after the semicolon;

(B) by striking paragraph (10); and

(C) by redesignating paragraph (11) as paragraph (10).

(2) The first sentence of section 602(b) of title 17, United States Code, is amended by adding striking “unless the provisions of section 601 are applicable”.

#### SEC. 4. CLARIFICATIONS.

(a) TRANSFER OF OWNERSHIP.—The second sentence of section 201(d)(2), of title 17, United States Code, is amended by adding before the period the following: “, including the right to transfer or license the exclusive right to another person in the absence of a written agreement to the contrary”.

(b) CERTAIN DISTRIBUTIONS OF PHONORECORDS.—Section 303(b) of title 17, United States Code, is amended by striking “the musical work” and inserting “any musical work, dramatic work, or literary work”.

(c) PROCEEDINGS OF COPYRIGHT ROYALTY JUDGES.—Section 803(b)(6)(A) of title 17, United States Code, is amended by striking the second sentence and inserting: “All regulations issued by the Copyright Royalty Judges are subject to the approval of the Librarian of Congress and are subject to judicial review pursuant to Chapter 7 of title 5, United States Code, except as set forth in subsection (d).”

(d) LICENSES FOR CERTAIN NONEXEMPT TRANSMISSIONS.—Section 114(f)(2)(C) of title 17, United States Code, is amended by striking “preexisting subscription digital audio transmission services or preexisting satellite digital radio audio services” and inserting “eligible nonsubscription services and new subscription services”.

#### SEC. 5. TECHNICAL CORRECTIONS.

(a) Title 17, United States Code, is amended—

(1) in section 101—

(A) by moving the definition of “Copyright Royalty Judges” to follow the definition of “Copyright owner”; and

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

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

(2) in section 114(f)(2)(B), in the fourth sentence in the matter preceding clause (i), by striking “Judges shall base its decision” and inserting “Judges shall base their decision”; and

(3) in section 119(g)(4)(B)(vi), by striking “the examinations” and inserting “an examination”; and

(4) in section 503(a)(1)(B), by striking “copies of phonorecords” and inserting “copies or phonorecords”; and

(5) in section 704(e), in the second sentence, by striking “section 708(a)(10)” and inserting “section 708(a)”.

(b) 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’”.

(c) Section 4(a)(1) of Public Law 111-146 is amended by striking “by corporations attempting” and inserting “the purpose of which is”.

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

#### SEC. 6. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### URGING IRAN TO RELEASE CERTAIN INDIVIDUALS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 604 submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 604) urging the Government of the Islamic Republic of Iran to immediately and unconditionally release Saram Shourd, Joshua Fattal, and Shane Bauer on humanitarian grounds.

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

Mr. DODD. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 604) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 604

Whereas on July 31, 2009, Sarah Shourd, Joshua Fattal, and Shane Bauer were taken into custody by Iranian officials after they may have inadvertently crossed the poorly marked Iranian border while hiking in the Kurdistan region of the Republic of Iraq;

Whereas Sarah, Josh, and Shane have since been held in Evin prison in Tehran, Iran;

Whereas the amount of time that Sarah, Josh, and Shane have spent in prison is unjustified in relation to their alleged offense of illegal entry into Iran;

Whereas during their detention, Sarah, Josh, and Shane have only been afforded the opportunity to see their families during a brief visit in May;

Whereas according to their families, Sarah and Shane may be suffering from potentially serious health problems;

Whereas the families of Sarah, Josh, and Shane have suffered greatly in the absence of their loved ones; and

Whereas July 31, 2010, will mark the 1-year anniversary of their detention: Now, therefore, be it

*Resolved*, That Congress—

(1) recognizes that Sarah Shourd, Joshua Fattal, and Shane Bauer have been held in custody in Iran for 1 year; and

(2) urges the Government of Iran to immediately and unconditionally release Sarah Shourd, Joshua Fattal, and Shane Bauer on humanitarian grounds and allow them to reunite with their families in the United States.

#### MEASURE READ THE FIRST TIME—H.R. 5901

Mr. DODD. Mr. President, I understand that H.R. 5901 has been received from the House and is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock

of real estate investment trusts from the tax on foreign investment in United States real property interests, and for other purposes.

Mr. DODD. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

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ORDERS FOR TUESDAY, AUGUST 3,  
2010

Mr. DODD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Tuesday, Au-

gust 3; 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 reserved for their use later in the day, and the Senate then proceed to executive session to consider the nomination of Elena Kagan to be an Associate Justice of the United States, as provided for under the previous order; and that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. DODD. Tomorrow we will begin debate on the Kagan nomination. Debate will be controlled in alternating blocks of time.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. DODD. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:46 p.m., adjourned until Tuesday, August 3, 2010, at 9:30 a.m.