

long-time lawful permanent residents to deportation for minor offenses committed prior to the enactment of the 1996 law.

H.R. 5062 is the product of negotiations between Representative BARNEY FRANK, HENRY HYDE and BILL MCCOLLUM:

It applies only to eliminating mandatory deportation of legal permanent residents who committed offenses that were not deportable prior to enactment of the 1996 law.

Mandatory deportation will not be required for persons who were convicted prior to September 30, 1996, of "aggravated felonies" that were not deportable offenses at the time of the conviction. Such persons will be eligible to apply for cancellation of removal.

People who have already been deported under the retroactive provisions of this law will be allowed to apply for readmission to this country, thus providing an avenue for the reunification of families that were split apart by the retroactive impact of the 1996 law.

A technical provision known as the "stop-time rule" also will be eliminated for those offenses committed on or before enactment of the 1996 law. This provision enables persons to take advantage of cancellation of removal.

This bill is only a modest bill—merely a first step toward the reforms needed to address the injustices of the overly harsh 1996 law. With regard to retroactivity, persons who are deportable under the 1996 law remain deportable. Though they can apply for cancellation of removal, they may be ineligible for other benefits such as naturalization. Moreover, the bill applies only to convictions—rather than offenses—that occurred prior to the 1996 law.

More broadly, the harshness of the 1996 immigration law must be mitigated in future bills as seen in Representative JOHN CONYERS' H.R. 4966 (Fix '96 bill). The 1996 law must be changed to restore judicial review and discretion to the Attorney General and the courts, eliminate mandatory detention, and revoke retroactive enforcement of the 1996 law on a more comprehensive basis.

Mr. MCCOLLUM. Mr. Speaker, I rise today in support of H.R. 5062 and urge my colleagues to vote for this important legislation.

Mr. Speaker, this bill corrects an injustice in our laws. In 1996, Congress made several modifications to the nation's immigration law that had a harsh and unintended impact on many permanent resident aliens who live in the United States. Under these modifications, legal aliens who had lived in the United States for many years, and who may have entered a plea for a burglary or simple assault years ago, suddenly were subject to automatic deportation with no right to seek a waiver from the Attorney General, as had been the law. This retroactive feature was a creation of the other body and was something I opposed in 1996. It is wrong and bad law.

The House intention under the 1996 act was to deport those immigrants who were guilty of a dangerous aggravated felony. However, a House/Senate Conference significantly expanded the definition of such felonies to include relatively minor crimes, and then applied the law retroactively. As a consequence, individuals who had committed comparatively minor crimes would be deported, even if the crime was committed 30 or 40 years ago.

The result, Mr. Speaker, was a manifest injustice.

I will cite one example: Olufoake Olaleye, a legal permanent immigrant originally from Ni-

geria and mother to two American born children had lived in the United States for a number of years and had supported her family without ever having taken a nickel of public assistance. She was hard working, dedicated to her family, and in 1993 she was charged with shoplifting \$14.99 worth of baby clothes after she attempted to return several items to an Atlanta clothing store without a receipt.

Olufoake, not unreasonably, wanted the matter resolved quickly and so appeared in court with a lawyer where she pled guilty, paid a fine, and was given a 12 month suspended sentence. There the matter would have rested. Unfortunately, under the 1996 law, her crime was considered an aggravated felony, and because the '96 bill included retroactivity provisions, the I.N.S. reopened her case and ordered her deported.

Mr. Speaker, it is wrong to retroactively deport a hard working immigrant for stealing \$14.99 worth of baby clothes and to equate shoplifting with murder, rape and armed robbery. This Congress, with the best of intentions, went too far. H.R. 5062 will go a long way towards correcting this by eliminating retroactivity.

Mr. Speaker, we are a just and fair nation and must strike a just and fair balance in our immigration codes. H.R. 5062 does just that and I urge my colleagues to vote in favor of this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HYDE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 5062.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COPYRIGHT TECHNICAL CORRECTIONS ACT OF 2000

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5106) to make technical corrections in copyright law, as amended.

The Clerk read as follows:

H.R. 5106

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 Technical Corrections Act of 2000".

SEC. 2. CORRECTIONS TO 1999 ACT.

Title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted 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)"; and

(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. 3. 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;

(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. 4. OTHER 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.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from California (Mr. BERMAN) will each control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5106, the bill under consideration, and to insert extraneous material in the RECORD.

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

There was no objection.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume; and I rise today in support of H.R. 5106, the Copyright Technical Corrections Act of 2000 and urge the House to adopt the measure.

H.R. 5106 makes purely technical amendments to Title I of the Intellectual Property and Communications Omnibus Reform Act of 1999 and Title 17. H.R. 5106 corrects errors in references, spelling and punctuation, conforms the table of contents with section headings, restores the definitions in chapter 1 to alphabetical order, deletes an expired paragraph, and creates continuity in the grammatical style used.

This legislation makes necessary improvements to the Copyright Act. The Subcommittee on Courts and Intellectual Property and the Committee on the Judiciary support H.R. 5106 in a bipartisan manner and I urge its adoption today.

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

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from North Carolina (Mr. COBLE) once again for his able leadership in moving this bill forward expeditiously.

H.R. 5106, the Copyright Technical Corrections Act of 2000, which I intro-

duced with the chairman earlier this month, makes a number of technical corrections which merely change punctuation, correct cross references or paragraph numbering or correct editorial style in copyright law.

I want to join the chairman in thanking the Copyright Office and the legislative counsel for their assistance in the drafting of this bill, along with the staffs to the majority and my own subcommittee minority staff as well.

Mr. Speaker, I urge support for the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am supportive of the goals targeted by H.R. 5106, the “Copyright Technical Corrections Act of 2000. This bill will make a number of technical corrections to the Amendments to Intellectual Property and Communications Omnibus Reform Act of 1999, which was passed and signed into law by the first session of the 106th Congress.

These corrections will allow for clarification of the intent and scope of the 1999 legislation and provide this Congress with an opportunity to correct errors, which have been identified in the current copyright law that have been identified.

The copyright laws of the United States provide legal rights to exclusive publication, production, sale, or distribution of a literary, musical, or artistic work, which also includes computer software programs. These laws provide security for those are engaged commercial transactions of every description. A few of these forms of commercial transaction are television, and radio programming, newspaper, and magazine publication as well as electronic commercial transactions that involve the commercial exchange of information.

It is my hope that the work we do today relating to copyright law will ensure the protection of artist’s work well into this new century.

I would like to thank my colleagues on the House Judiciary Committee for their work in bringing this legislation to be considered by the Full House.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 5106, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WORK MADE FOR HIRE AND COPYRIGHT CORRECTIONS ACT OF 2000

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5107) to make certain corrections in copyright law, as amended.

The Clerk read as follows:

H.R. 5107

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 “Work Made For Hire and Copyright Corrections Act of 2000”.

SEC. 2. WORK MADE FOR HIRE.

(a) DEFINITION.—The definition of “work made for hire” contained in section 101 of title 17, United States Code, is amended—

(1) in paragraph (2), by striking “as a sound recording;” and

(2) by inserting after paragraph (2) the following:

“In determining whether any work is eligible to be considered a work made for hire under paragraph (2), neither the amendment contained in section 101(d) of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106-113, nor the deletion of the words added by that amendment—

“(A) shall be considered or otherwise given any legal significance, or

“(B) shall be interpreted to indicate congressional approval or disapproval of, or acquiescence in, any judicial determination,

by the courts or the Copyright Office. Paragraph (2) shall be interpreted as if both section 2(a)(1) of the Work Made For Hire and Copyright Corrections Act of 2000 and section 101(d) of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106-113, were never enacted, and without regard to any inaction or awareness by the Congress at any time of any judicial determinations.”.

(b) EFFECTIVE DATE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall be effective as of November 29, 1999.

(2) SEVERABILITY.—If the provisions of paragraph (1), or any application of such provisions to any person or circumstance, is held to be invalid, the remainder of this section, the amendments made by this section, and the application of this section to any other person or circumstance shall not be affected by such invalidation.

SEC. 3. OTHER AMENDMENTS TO TITLE 17, UNITED STATES CODE.

(a) AMENDMENTS TO CHAPTER 7.—Chapter 7 of title 17, United States Code, is amended as follows:

(1) Section 710, and the item relating to that section in the table of contents for chapter 7, are repealed.

(2) Section 705(a) is amended to read as follows:

“(a) The Register of Copyrights shall ensure that records of deposits, registrations, recordings, and other actions taken under this title are maintained, and that indexes of such records are prepared.”.

(3)(A) Section 708(a) is amended to read as follows:

“(a) FEES.—Fees shall be paid to the Register of Copyrights—

“(1) on filing each application under section 408 for registration of a copyright claim or for a supplementary registration, including the issuance of a certificate of registration if registration is made;

“(2) on filing each application for registration of a claim for renewal of a subsisting copyright under section 304(a), including the issuance of a certificate of registration if registration is made;

“(3) for the issuance of a receipt for a deposit under section 407;

“(4) for the recordation, as provided by section 205, of a transfer of copyright ownership or other document;

“(5) for the filing, under section 115(b), of a notice of intention to obtain a compulsory license;

“(6) for the recordation, under section 302(c), of a statement revealing the identity