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Citation: 5 William H. Manz Federal Copyright Law The Histories of the Major Enactments of the 105th E1714 1999

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woman, he realized that there was a tremendous need in Davidson County for a Domestic Violence Shelter and spear-headed the effort to establish Family Services of Davidson County. This organization assists hundreds of abused families each year.

Through the Edward C. Smith Foundation, he has given many young people the opportunity to earn the college education which he never had. He is an avid supporter of the University of North Carolina at Chapel Hill where both of his children graduated. Eddie Smith, Jr., lives in Greenville, North Carolina, and is Chairman and CEO of Grady-White Boats. Lynda Smith Swann lives in Lexington and is co-owner of the National Wholesale Company. Eddie was married to his wife, Sarah, for 58 years until her death on January 24, 1998. He has 3 grandchildren and three great grandchildren.

A colleague once described Eddie Smith's life in this way. "Eddie Smith has been richly blessed by God, and he has chosen to use his blessings to bless others." These are just a few examples of the tremendous contribution that Eddie Smith has made during his 80 young years. I want to take this opportunity to wish Eddie a happy 80th birthday and to thank him for his many years of service to the citizens of North Carolina. Without a doubt, Eddie epitomizes what our forefathers envisioned when they established this great country over 200 years ago.

TRIBUTE TO THE 40TH ANNIVERSARY OF OUR LADY QUEEN OF ALL SAINTS

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1998

Mr. BONIOR. Mr. Speaker, today I would like to recognize a parish that has dedicated four decades to the service of God and community. On Sunday, August 23, 1998, Our Lady Queen of All Saints will celebrate its anniversary.

Located in Roseville, MI, Our Lady Queen of All Saints has been a center of religious and social activity for 40 years. During those years, the congregation of Our Lady Queen of All Saints has joyfully celebrated Christmas and Easter, baptisms and weddings, while lending a warm shoulder to those suffering. Our Lady Queen of All Saints has been a faithful friend to all who have walked through the front doors.

When the parish was founded in 1958, the church service was held in a rented store front on Utica Road in Fraser, MI. Since then, a new church has been built and 1,300 families have joined the parish. The clergy and membership have given their time and talents to serve God and their community.

Our Lady Queen of All Saints has been the center of many people's lives for 40 years. Although history and time has changed the congregation, the spirit of the church has remained strong. I would like to personally congratulate the parishioners on this historic milestone. Best wishes in the next 40 years.

DIGITAL MILLENNIUM COPYRIGHT ACT

SPEECH OF

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 4, 1998

Mr. HYDE. Mr. Speaker, I submit, for inclusion in the CONGRESSIONAL RECORD, the following two letters exchanged between myself and BILL ARCHER, Chairman of the Committee on Ways and Means, regarding H.R. 2281, the "Digital Millenium Copyright Act."

HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY
July 22, 1998.

HON. BILL ARCHER,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN ARCHER: Thank you for your letter of July 21 in which you address the jurisdiction of the Committee on Ways and Means as it relates to H.R. 2281, the "WIPO Copyright Treaties Implementation Act and Online Copyright Infringement Liability Limitation Act," as reported from the Committee on the Judiciary.

Based on the jurisdiction of the Committee on Ways and Means in certain provisions contained in H.R. 2281 which are described in your letter,. the Speaker of the House referred sequentially the bill to that Committee for consideration.

Your understanding is correct regarding the amendment to section 337 of the Tariff Act of 1930 contained in section 103 of the bill. Representative Coble, Chairman of the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary, will be offering a manager's amendment which will strike from the bill the portion of section 103 adding a new section 1201(c) to title 17.

Your understanding is also correct regarding the import ban contained in section 103 of the bill. The bill, as reported, applies the ban in compliance with the letter and spirit of U.S. obligations under the World Intellectual Property Organization Treaty.

I appreciate your determination that a markup in the Committee on Ways and Means is unnecessary in light of the foregoing and agree that the absence of such a markup should not prejudice that Committee's jurisdictional prerogative on the measures described in your letter.

I would be pleased to place a copy of your letter, along with this response, in the Congressional Record during floor consideration of H.R. 2281. Thank you for your valuable input and cooperation.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS
July 21, 1998.

HON. HENRY J. HYDE,
Chairman, Judiciary Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN HYDE: I am writing to address certain issues with respect to H.R. 2281, as reported by the Judiciary Committee on May 18, 1998. The bill contains an amendment to section 337 of the Tariff Act of 1930 as well as an import ban, both of which fall within the jurisdiction of the Committee on Ways and Means.

With respect to the amendment to section 337, section 103 of H.R. 2281, as reported by the Judiciary Committee, amends Title 17, United States Code, by adding a new section 1201(c) which makes the importation of any product, service, or technology that is primarily designed to circumvent a technological protection measure subject to action under section 337 of the Tariff Act of 1930. However, the underlying framework of section 1201, in terms of actionable conduct, affected parties, and available remedy, is not compatible with the structure of section 337. In light of this inconsistency, I understand that you will be offering an amendment, as part of a manager's amendment, to strip from the bill the portion of section 103 adding a new section 1201(c) to Title 17.

With respect to the import ban, section 103 of H.R. 2281, as reported by the Judiciary Committee, adds a new section 1201 to Title 17, United States Code, to prohibit the importation of any product, service, or technology that is primarily designed to circumvent a technological protection measure; section 103 also adds a new section 1202 to prohibit the importation of any product that has had its copyright management information removed or altered. Because these import ban provisions fall within the Committee's jurisdiction, the Committee would ordinarily meet to consider the bill. However, the bill, as reported, applies the ban in compliance with the letter and spirit of U.S. obligations under the World Intellectual Property Organization treaty.

Based on your assurance to this effect, and in order to expedite consideration of this legislation, I do not believe that a markup by the Committee on Ways and Means will be necessary on either of these issues. However, this is only being done with understanding that it does not in any way prejudice the Committee's jurisdictional prerogative on this measure or any other similar legislation, and it should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2281, and would ask that a copy of our exchange of letters on this matter be included in the record during floor consideration. Thank you for your cooperation and assistance on this matter.

With best personal regards,

BILL ARCHER,
Chairman.

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