HEINONLINE

Citation: 2 William H. Manz Federal Copyright Law The Histories of the Major Enactments of the 105th 0 1999

Content downloaded/printed from HeinOnline (http://heinonline.org) Thu Mar 28 00:35:50 2013

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at http://heinonline.org/HOL/License

-- The search text of this PDF is generated from uncorrected OCR text.

Mo's wise counsel and do it "right", as real conservatives.

EXTENSION OF COPYRIGHT TERM

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1995

Mr. MOORHEAD. Mr. Speaker, I am today introducing legislation which would extend the term of ownership of a copyrighted work from the life of the author plus 50 years to the life of the author plus 70 years. I am pleased that the gentlelady from Colorado, Mrs. SCHROEDER and Messrs. COBLE, GOODLATTE, BONO, GEKAS, BERMAN, NADLER, and CLEMENT are cosponsoring this legislation. This change will bring U.S. law into conformity with that of the European Union whose member states are among the largest users of our copyrighted works.

The last time the Congress considered and enacted copyright term extension legislation was in 1976. At that time the House report noted that copyright conformity provides certainty and simplicity in international business dealings. The intent of the 1976 act was twofold: First, to bring the term for works by Americans into agreement with the then minimum term provided by European countries; and second, to assure the author and his or her heirs of the fair economic benefits derived from the author's work. The 1976 law needs to be revisited since neither of these objectives is being met.

In October 1993, the European Union [EU] adopted a directive mandating copyright term protection equal to the life of the author plus 70 years for all works originating in the EU, no later than the first of July this year. The EU action has serious trade implications for the United States.

The United States and EU nations are all signatories of the Berne Copyright Convention which includes the so-called rule of the shorter term which accords copyright protection for a term which is the shorter of life plus 70 years or the term of copyright in the country of origin. Once this directive is implemented, U.S. works will only be granted copyright protection for the shorter life plus 50 year term before falling into the public domain. The main reasons for this extension of term are fairness and economics. If the Congress does not extend to Americans the same copyright protection afforded their counterparts in Europe, American creators will have 20 years less protection than their European counterparts—20 years during which Europeans will not be paying Americans for their copyrighted works. And whose works do Europeans buy more of than any other country? Works of American artists. This would be harmful to the country and work a hardship on American creators. I intend to schedule hearings on this issue in early summer.

EAGLE SCOUT HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1995

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues an outstanding young individual from the Third Congressional District of Illinois who has completed a major goal in his scouting career. Douglas Pratt of Chicago, IL, has completed the requirements required to attain the rank of Eagle Scout. Douglas will be honored at an Eagle Scout Court on February 26, 1995.

The eagle rank is one of the highest and most prestigious ranks a Boy Scout can earn. It is important to note that less than 2 percent of all young men in America attain the rank of Eagle Scout. This high honor can only be earned by those Scouts demonstrating extraordinary leadership abilities. Douglas worked long and hard to learn and perform all the skills necessary to achieve this rank.

Douglas has been active in Scouting for several years at St. Mary Star of the Sea. In addition to being an outstanding member of Boy Scout Troop 1441, Douglas served as a den chief for the younger Cub Scout troops for 2 years. Because of his patience and skill with the younger boys, Douglas proved to be a natural leader and an excellent role model.

Douglas has also excelled in activities outside of Scouting. He is currently a sophomore at the Illinois Math and Science Academy. He is a writer on the school paper and editor for the satire paper. In the spring, he plans to join the basketball team. At the Ted Lenard Gifted Center, he graduated with honors and an impressive list of achievements. For example, in eighth grade, he was a member of the Academic Olympics team and also won the City Competition Science Fair.

For his Eagle Scout project, Douglas did an excellent job cleaning and repairing the area around Bachelor's Grove cemetery. In fact, Douglas in such an ambitious and talented Scout that has earned enough merit badges to attain the honor of Eagle Palm, a honor even more prestigious than the Eagle Scout. Douglas is an outstanding young man who deserves to be commended for his leadership, hard work, and service. I ask my colleagues to join me in congratulating Douglas on his achievement as Eagle Scout. Let us also wish him the very best in all his future endeavors.

THE DOMESTIC OIL AND GAS PRODUCTION TAX INCENTIVE ACT

HON. STEVE LARGENT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1995

Mr. LARGENT. Mr. Speaker, today, I am pleased to introduce along with my Oklahoma colleagues the Domestic Oil and Gas Production Tax Incentive Act.

Recently, the Secretary of Commerce reported the results of an investigation conducted, under the Trade Expansion Act, into the impact of crude oil imports on the national security of the United States. The investigation determined that oil imports threaten to impair the national security of the United States. Clearly, it is vital that we take immediate action to remove this threat to our national security. By removing unnecessary impediments to domestic exploration and development we can fortify our domestic oil and gas industry and begin to correct this dangerous oil trade deficit.

The preservation of marginal well production and the encouragement of new oil and natural gas production provides a blueprint for fast, effective action to protect our Nation's vital economic and security interests.

Currently, nationwide we plug a marginal well about every 30 minutes. Since 1983, some 450,000 petroleum jobs have been lost, and nearly half of our independent oil companies have gone out of business during the same time period. In 1993, nearly 17,000 domestic oil wells were abandoned, an average of 46.3 per day. Plugging an oil well is permanent. After a well has been plugged it is then cost prohibitive and not always technically feasible to re-lease and reequip the well to recover the remaining oil and gas.

It is my belief that this bill provides a positive first step toward revitalizing our Nation's dwindling energy industry. I encourage my colleagues to join me in this effort to decrease our reliance on foreign crude imports and reinvigorate a vital component of our economy—the domestic oil industry.

RICHARD DEMARY: A FLIGHT ATTENDANT ON USAIR FLIGHT 1016

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1995

Mr. SHUSTER. Mr. Speaker, sometimes, when confronted with appalling circumstances beyond our most ardent imagination, individuals summon forth courage and fortitude that nearly defies belief.

Such is the case of Richard DeMary, a flight attendant from Coraopolis, PA, who was aboard the doomed USAir Flight 1016 which crashed near Charlotte, NC, on July 2, 1994.

Flight 1016 took off from Charlotte/Douglas International Airport in heavy rain and wind. Moments later, the DC–9 plummeted into the woods, broke apart, and burst into a fireball.

No Hollywood screenwriter could devise a more compelling story that what Mr. DeMary did in the next few minutes. An official account later read:

After the aircraft came to a rest, DeMary first freed a severely injured fellow flight attendant from her seat and carried her from the wreckage. Despite the threat of secondary explosions, DeMary returned to the aircraft and rescued a small child from the tail section. He re-entered the torn fuselage to pull the child's injured mother to safety and returned a third time to rescue another passenger.

His efforts did not stop there. He kicked open the door of a house in which part of the aircraft was embedded and attempted to reach other trapped passengers until heavy smoke forced him to withdraw. Despite burns on his arms and an injured ankle . . . DeMary helped move a downed telephone pole that was blocking a street and preventing fire fighting equipment from getting closer to the wreckage.

HeinOnline -- 2 William H. Manz, Federal Copyright Law: The Legislative Histories of the Major Enactments of the 105th Congress 0 1999

HeinOnline -- 2 William H. Manz, Federal Copyright Law: The Legislative Histories of the Major Enactments of the 105th Congress [i] 1999

Document No. 43

HeinOnline -- 2 William H. Manz, Federal Copyright Law: The Legislative Histories of the Major Enactments of the 105th Congress [ii] 1999