

RENDERING DENMARK NATIONALS ELIGIBLE TO ENTER THE UNITED STATES AS NON-IMMIGRANT TRADERS AND INVESTORS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3647) to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors, as amended.

The Clerk read as follows:

H.R. 3647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NONIMMIGRANT TRADERS AND INVESTORS FROM DENMARK.

[Denmark shall be considered, for purposes of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), to be a foreign state described in such section if Denmark extends reciprocal nonimmigrant treatment to nationals of the United States.]

SECTION 1. NONIMMIGRANT TRADERS AND INVESTORS FROM DENMARK.

Denmark shall be considered, for purposes of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), to be a foreign state described in such section (other than clause (iii) of such section) if Denmark extends reciprocal nonimmigrant treatment to nationals of the United States.

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

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

Mr. Speaker, I rise in support of H.R. 3647, to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors. E-2 visas are nonimmigrant visas available to nationals of countries with which the United States maintains a treaty of commerce. Under the Immigration and Nationality Act, aliens from such countries who wish to come to the United States to develop and direct the operations of an enterprise in which they have invested, or are actively in the process of investing a substantial amount of capital, may apply for entry on an E-2 visa.

Alien employees of a treaty investor may also receive E-2 visas if they are coming to the United States to engage in duties of an executive or supervisory character, or, if employed in a lesser capacity, if they have special qualifications that make the services to be rendered essential to the efficient operation of that enterprise. There is no numerical cap on E-2 visas. An alien may be admitted initially for a period of 2 years and can apply for extensions in 2-year increments.

The United States has entered into treaties of commerce containing language similar to the E-2 visas since as far back as 1815, when we entered into a Convention to Regulate Commerce with the United Kingdom. Currently,

the nationals of 74 countries are eligible for E-2 status. In fiscal year 2003, 24,506 aliens, including dependents, were granted E-2 visas.

Nationals of Denmark are already eligible for an E-1, treaty trader, visa pursuant to the Treaty of Friendship, Commerce and Navigation between the United States and Denmark of October 1, 1951. The U.S. and Denmark signed a protocol to that treaty on May 2, 2001, that would also grant Danes eligibility for E-2 visas. However, that protocol has not been ratified due to the broad objections raised on both sides of the Capitol regarding the inclusion of immigration provisions in trade agreements. Accordingly, the Danish embassy has requested that Denmark be granted E-2 privileges through the normal legislative process. This legislation would accomplish that.

Mr. Speaker, I wish to emphasize the importance of formal congressional consideration of any changes to United States immigration law through congressional legislative process. Over the last several years, Congress has witnessed efforts to circumvent its exclusive authority under the Constitution to amend our Nation's immigration law. The inclusion of temporary entry or other immigration provisions in bilateral or multilateral trade agreements undermines the constitutional authority of Congress and has been strongly opposed by Members on both sides of the aisle.

This legislation is the product of the open legislative process that revisions to our immigration law deserve, and I urge other nations seeking changes to U.S. immigration law to follow a similar legislative course. I appreciate that the embassy of Denmark has sought E-2 visas the right way, and I urge my colleagues to support this bill.

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

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

Let me, first of all, acknowledge that this is an important issue. Danish nationals are eligible for E-1 treaty trader visas pursuant to the Treaty of Friendship, Commerce and Navigation between the United States and Denmark of October 1, 1951.

The U.S. and Denmark signed a protocol to the treaty on May 2, 2001, which would grant Danes eligibility for E-2 visas. That protocol is currently before the Senate Foreign Affairs Committee. However, since the Judiciary Committee began insisting in 2003 that trade agreements and treaties no longer contain immigration provisions, the Danish embassy has requested a grant of E-2 privileges through the normal legislative process.

H.R. 3647 would grant those privileges to Denmark. I support that grant of such privileges and therefore support H.R. 3647.

Madam Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. CAPITO). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3647, as amended.

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

A motion to reconsider was laid on the table.

COPYRIGHT ROYALTY JUDGES PROGRAM TECHNICAL CORRECTIONS ACT

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1036) to amend title 17, United States Code, to make technical corrections relating to copyright royalty judges, as amended.

The Clerk read as follows:

H.R. 1036

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 Royalty Judges Program Technical Corrections Act".

SEC. 2. REFERENCE.

Any reference in this Act to a provision of title 17, United States Code, refers to such provision as amended by the Copyright Royalty and Distribution Reform Act of 2004 (Public Law 108-419) and the Satellite Home Viewer Extension and Reauthorization Act of 2004 (title IX of division J of Public Law 108-447).

SEC. 3. AMENDMENTS TO CHAPTER 8 OF TITLE 17, UNITED STATES CODE.

Chapter 8 of title 17, United States Code, is amended as follows:

(1) Section 801(b)(1) is amended, in the matter preceding subparagraph (A), by striking "119 and 1004" and inserting "119, and 1004".

(2) Section 801 is amended by adding at the end the following:

"(f) EFFECTIVE DATE OF ACTIONS.—On and after the date of the enactment of the Copyright Royalty and Distribution Reform Act of 2004, in any case in which time limits are prescribed under this title for performance of an action with or by the Copyright Royalty Judges, and in which the last day of the prescribed period falls on a Saturday, Sunday, holiday, or other nonbusiness day within the District of Columbia or the Federal Government, the action may be taken on the next succeeding business day, and is effective as of the date when the period expired."

(3) Section 802(f)(1)(A) is amended—

(A) in clause (i), by striking "clause (ii) of this subparagraph and subparagraph (B)" and inserting "subparagraph (B) and clause (ii) of this subparagraph"; and

(B) by striking clause (ii) and inserting the following:

"(ii) One or more Copyright Royalty Judges may, or by motion to the Copyright Royalty Judges, any participant in a proceeding may, request from the Register of Copyrights an interpretation of any material questions of substantive law that relate to the construction of provisions of this title and arise in the course of the proceeding. Any request for a written interpretation

shall be in writing and on the record, and reasonable provision shall be made to permit participants in the proceeding to comment on the material questions of substantive law in a manner that minimizes duplication and delay. Except as provided in subparagraph (B), the Register of Copyrights shall deliver to the Copyright Royalty Judges a written response within 14 days after the receipt of all briefs and comments from the participants. The Copyright Royalty Judges shall apply the legal interpretation embodied in the response of the Register of Copyrights if it is timely delivered, and the response shall be included in the record that accompanies the final determination. The authority under this clause shall not be construed to authorize the Register of Copyrights to provide an interpretation of questions of procedure before the Copyright Royalty Judges, the ultimate adjustments and determinations of copyright royalty rates and terms, the ultimate distribution of copyright royalties, or the acceptance or rejection of royalty claims, rate adjustment petitions, or petitions to participate in a proceeding."

(4) Section 802(f)(1)(D) is amended by inserting a comma after "undertakes to consult with".

(5) Section 803(a)(1) is amended—

(A) by striking "The Copyright" and inserting "The Copyright Royalty Judges shall act in accordance with this title, and to the extent not inconsistent with this title, in accordance with subchapter II of chapter 5 of title 5, in carrying out the purposes set forth in section 801. The Copyright"; and

(B) by inserting after "Congress, the Register of Copyrights," the following: "copyright arbitration royalty panels (to the extent those determinations are not inconsistent with a decision of the Librarian of Congress or the Register of Copyrights)."

(6) Section 803(b) is amended—

(A) in paragraph (1)(A)(i)(V)—

(i) by striking "in the case of" and inserting "the publication of notice requirement shall not apply in the case of"; and

(ii) by striking ", such notice may not be published.";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ", together with a filing fee of \$150";

(ii) in subparagraph (B), by striking "and" after the semicolon;

(iii) in subparagraph (C), by striking the period and inserting "; and"; and

(iv) by adding at the end the following:

"(D) the petition to participate is accompanied by either—

"(i) in a proceeding to determine royalty rates, a filing fee of \$150; or

"(ii) in a proceeding to determine distribution of royalty fees—

"(I) a filing fee of \$150; or

"(II) a statement that the petitioner (individually or as a group) will not seek a distribution of more than \$1000, in which case the amount distributed to the petitioner shall not exceed \$1000.";

(C) in paragraph (3)(A)—

(i) by striking "(A) IN GENERAL.—Promptly" and inserting "(A) COMMENCEMENT OF PROCEEDINGS.—

"(i) RATE ADJUSTMENT PROCEEDING.—Promptly"; and

(ii) by adding at the end the following:

"(ii) DISTRIBUTION PROCEEDING.—Promptly after the date for filing of petitions to participate in a proceeding to determine the distribution of royalties, the Copyright Royalty Judges shall make available to all participants in the proceeding a list of such participants. The initiation of a voluntary negotiation period among the participants shall be set at a time determined by the Copyright Royalty Judges."

(D) in paragraph (4)(A), by striking the last sentence; and

(E) in paragraph (6)(C)—

(i) in clause (i)—

(I) in the first sentence, by inserting "and written rebuttal statements" after "written direct statements";

(II) in the first sentence, by striking "which may" and inserting "which, in the case of written direct statements, may"; and

(III) by striking "clause (iii)" and inserting "clause (iv)";

(ii) by amending clause (ii)(I) to read as follows:

"(ii)(I) Following the submission to the Copyright Royalty Judges of written direct statements and written rebuttal statements by the participants in a proceeding under paragraph (2), the Copyright Royalty Judges, after taking into consideration the views of the participants in the proceeding, shall determine a schedule for conducting and completing discovery.";

(iii) by amending clause (iv) to read as follows:

"(iv) Discovery in connection with written direct statements shall be permitted for a period of 60 days, except for discovery ordered by the Copyright Royalty Judges in connection with the resolution of motions, orders, and disputes pending at the end of such period. The Copyright Royalty Judges may order a discovery schedule in connection with written rebuttal statements.";

(iv) by amending clause (x) to read as follows:

"(x) The Copyright Royalty Judges shall order a settlement conference among the participants in the proceeding to facilitate the presentation of offers of settlement among the participants. The settlement conference shall be held during a 21-day period following the 60-day discovery period specified in clause (iv) and shall take place outside the presence of the Copyright Royalty Judges."

(7) Section 803(c)(2)(B) is amended by striking "concerning rates and terms".

(8) Section 803(c)(4) is amended by striking ", with the approval of the Register of Copyrights,"

(9) Section 803(c)(7) is amended by striking "of Copyright" and inserting "of the Copyright".

(10) Section 803(d)(2)(C)(i)(I) is amended by striking "statements of account and any report of use" and inserting "applicable statements of account and reports of use".

(11) Section 803(d)(3) is amended by striking "If the court, pursuant to section 706 of title 5, modifies" and inserting "Section 706 of title 5 shall apply with respect to review by the court of appeals under this subsection. If the court modifies".

(12) Section 804(b)(1)(B) is amended—

(A) by striking "801(b)(3)(B) or (C)" and inserting "801(b)(2)(B) or (C)"; and

(B) in the last sentence, by striking "change is" and inserting "change in".

(13) Section 804(b)(3) is amended—

(A) in subparagraph (A), by striking "effective date" and inserting "date of enactment"; and

(B) in subparagraph (C)—

(i) in clause (ii), by striking "that is filed" and inserting "is filed"; and

(ii) in clause (iii), by striking "such subsections (b)" and inserting "subsections (b)".

SEC. 4. ADDITIONAL TECHNICAL AMENDMENTS.

(a) DISTRIBUTION OF ROYALTY FEES.—Section 111(d) of title 17, United States Code, is amended—

(1) in the second sentence of paragraph (2), by striking all that follows "Librarian of Congress" and inserting "upon authorization by the Copyright Royalty Judges.";

(2) in paragraph (4)—

(A) in subparagraph (B)—

(i) by striking the second sentence and inserting the following: "If the Copyright Royalty Judges determine that no such controversy exists, the Copyright Royalty Judges shall authorize the Librarian of Congress to proceed to distribute such fees to the copyright owners entitled to receive them, or to their designated agents, subject to the deduction of reasonable administrative costs under this section."; and

(ii) in the last sentence, by striking "finds" and inserting "find"; and

(B) by striking subparagraph (C) and inserting the following:

"(C) During the pendency of any proceeding under this subsection, the Copyright Royalty Judges shall have the discretion to authorize the Librarian of Congress to proceed to distribute any amounts that are not in controversy."

(b) SOUND RECORDINGS.—Section 114(f) of title 17, United States Code, is amended—

(1) in paragraph (1)(A), in the first sentence, by striking "except where" and all that follows through the end period and inserting "except in the case of a different transitional period provided under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004, or such other period as the parties may agree.";

(2) by amending paragraph (2)(A) to read as follows:

"(2)(A) Proceedings under chapter 8 shall determine reasonable rates and terms of royalty payments for public performances of sound recordings by means of eligible non-subscription transmission services and new subscription services specified by subsection (d)(2) during the 5-year period beginning on January 1 of the second year following the year in which the proceedings are to be commenced, except in the case of a different transitional period provided under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004, or such other period as the parties may agree. Such rates and terms shall distinguish among the different types of eligible nonsubscription transmission services and new subscription services then in operation and shall include a minimum fee for each such type of service. Any copyright owners of sound recordings or any entities performing sound recordings affected by this paragraph may submit to the Copyright Royalty Judges licenses covering such eligible nonsubscription transmissions and new subscription services with respect to such sound recordings. The parties to each proceeding shall bear their own costs.";

(3) in paragraph (2)(B), in the last sentence, by striking "negotiated under" and inserting "described in".

(c) PHONORECORDS OF NONDRAMATIC MUSICAL WORKS.—Section 115(c)(3) of title 17, United States Code, is amended—

(1) in subparagraph (B), by striking "subparagraphs (B) through (F)" and inserting "this subparagraph and subparagraphs (C) through (E)";

(2) in subparagraph (D), in the third sentence, by inserting "in subparagraphs (B) and (C)" after "described"; and

(3) in subparagraph (E), in clauses (i) and (ii)(I), by striking "(C) or (D)" each place it appears and inserting "(C) and (D)".

(d) NONCOMMERCIAL BROADCASTING.—Section 118 of title 17, United States Code, is amended—

(1) in subsection (b)(3), by striking "copyright owners in works" and inserting "owners of copyright in works"; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "established by" and all that follows through "engage" and inserting "established by the Copyright Royalty Judges under subsection (b)(4), engage"; and

(B) in paragraph (1), by striking “(g)” and inserting “(f)”.

(e) SATELLITE CARRIERS.—Section 119 of title 17, United States Code, is amended—

(1) in subsection (b)(4)—

(A) in subparagraph (B), by striking the second sentence and inserting the following: “If the Copyright Royalty Judges determine that no such controversy exists, the Copyright Royalty Judges shall authorize the Librarian of Congress to proceed to distribute such fees to the copyright owners entitled to receive them, or to their designated agents, subject to the deduction of reasonable administrative costs under this section.”; and

(B) by amending subparagraph (C) to read as follows:

“(C) WITHHOLDING OF FEES DURING CONTROVERSY.—During the pendency of any proceeding under this subsection, the Copyright Royalty Judges shall have the discretion to authorize the Librarian of Congress to proceed to distribute any amounts that are not in controversy.”; and

(2) in subsection (c)(1)(F)(i), in the last sentence, by striking “arbitrary” and inserting “arbitration”.

(f) DIGITAL AUDIO RECORDING DEVICES.—Section 1007 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) in the second sentence, by striking “Librarian of Congress” and inserting “Copyright Royalty Judges”; and

(B) in the last sentence, by striking “by the Librarian”; and

(2) in subsection (c), in the last sentence, by striking “by the Librarian”.

(g) REMOVAL OF INCONSISTENT PROVISIONS.—The amendments contained in subsection (h) of section 5 of the Copyright Royalty and Distribution Reform Act of 2004 shall be deemed never to have been enacted.

(h) EFFECTIVE DATE.—Section 6(b)(1) of the Copyright Royalty and Distribution Reform Act of 2004 (Public Law 108-419) is amended by striking “commenced before the date of enactment of this Act” and inserting “commenced before the effective date provided in subsection (a)”.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall be effective as if included in the Copyright Royalty and Distribution Reform Act of 2004.

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

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

Madam Speaker, H.R. 1036, the Copyright Royalty Judges Program Technical Corrections Act, amends certain technical aspects of the copyright act that were substantively amended by Congress' enactment of the Copyright Royalty and Distribution Reform Act of 2004.

It is appropriate to note the efforts of Chairman LAMAR SMITH and Ranking Member HOWARD BERMAN of the Subcommittee on Courts, the Internet, and Intellectual Property, who worked so hard to ensure passage of the Copyright Royalty and Distribution Reform Act last year. Enactment of the legislation came only after 20 years of successive efforts to streamline, modernize, and de-conflict the role of the

U.S. Copyright Office in administering the various compulsory licenses contained in title 17 of the United States Code.

Before discussing the specifics of this bill, I would like to offer some background. By their nature, statutory changes in this area are complex. Proposed changes inevitably affect a number of preexisting and carefully negotiated balances that potentially impact the public and a wide variety of stakeholders.

The various compulsory licenses were authorized at differing times, and each is shaped in response to the unique circumstances of commercial licensors and licensees. Nevertheless, each is intended to benefit the public by reducing the transaction costs of certain types of protected works and each requires the Copyright Office to assume certain administrative functions, which may include rate setting, royalty collecting, and royalty distribution functions.

It is the interplay between these administrative and adjudicative functions, some of which are fiduciary in nature, that created potential conflicts for the Copyright Office. This problem was addressed in the Reform Act by authorizing the establishment of three copyright royalty judges, or CRJs, who operate independently of the Copyright Office. The CRJs are empowered to consider arguments from participants in contested distribution proceedings, resolve factual disputes, and order distributions.

In contrast, the role of the Librarian of Congress and the Copyright Office is limited in such cases to largely ministerial functions such as advising the CRJs and participants in proceedings on certain matters within the substantive expertise of the office and actually effectuating the disbursement of funds in response to a CRJ order.

The ad hoc enactment of various compulsory licenses also contributed to a perpetuation of certain inefficiencies and inconsistencies that could only be addressed properly by creating a comprehensive and predictable schedule for rate-setting and distribution proceedings.

By enacting the Reform Act last year, Congress took important steps toward protecting the public, the Copyright Office, licensors, and licensees with a more stable and cohesive administrative and adjudicatory construct. But a clear articulation of the respective roles of the Copyright Office and the new CRJs is fundamental to the success of the new system.

Unfortunately, as enrolled, the law inadvertently provided in some places that the Librarian was charged with “authorizing” the distribution of funds. This language could be interpreted to imply that Congress intended the Librarian to retain a role that clearly had been intended to be exercised by the new CRJs.

H.R. 1036 corrects this error to ensure that the Reform Act operates as Con-

gress intended. The Copyright Royalty Judges Program Technical Corrections Act includes further noncontroversial stylistic, technical, clarifying, and conforming changes that have been carefully considered and reviewed by Members and staff on both sides of the aisle, the Register of Copyrights, copyright owners, and many of the commercial users who are the beneficiaries of the licenses.

When the copyright royalty judge, or CRJ, system is fully implemented, disputes among participants will be settled in a more predictable, rational, and consistent manner; decisions will be improved by the involvement of judges required to possess relevant subject matter expertise; and significant cost savings and efficiencies should accrue to participants.

I urge Members to support this bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I want to thank the chairman for his able leadership in moving this bill forward expeditiously. One of the major accomplishments of the Subcommittee on Courts, the Internet and Intellectual Property last Congress was to see the Copyright Royalty Arbitration Royalty Panel reform bill from its inception to ultimate passage. The original bill accomplished much with a general overhaul of the administrative construct by which copyright royalties are determined and distributed based up the compulsory licenses authorized by the Copyright Act.

H.R. 1036, the Technical Corrections to the Copyright and Distribution Reform Act of 2004, which I introduced with the chairman of the subcommittee, makes a number of technical corrections. Some provisions merely change spelling and punctuation; others correct cross-references, paragraph numbering or editorial style in copyright law.

The corrections not in the aforementioned categories are merely technical as well. Those changes include amending the statute to correctly identify the roles of the copyright royalty judges and the librarian of Congress in authorizing and distributing royalty payments.

In addition, the bill addresses the omission of CARP decisions serving as precedent, establishes consistency for written direct statements and written rebuttal statements and provides fee waiver for those claiming less than \$1,000.

I want to thank the Copyright Office, the legislative counsel and a number of outside groups for their assistance in noting many of the errors, and then their help in drafting this bill.

H.R. 1036 is an important step toward achieving clarity. I urge my colleagues to join in supporting H.R. 1036.

Madam Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. CAPITO). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1036, as amended.

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

The title of the bill was amended so as to read: "A bill to amend title 17, United States Code, to make technical corrections relating to Copyright Royalty Judges, and for other purposes."

A motion to reconsider was laid on the table.

MAKING TECHNICAL CORRECTIONS TO UNITED STATES CODE

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 866) to make technical corrections to the United States Code.

The Clerk read as follows:

H.R. 866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PURPOSE.

The purpose of this Act is to make technical corrections to the United States Code relating to cross references, typographical errors, and stylistic matters.

SEC. 2. TITLE 10, UNITED STATES CODE.

In section 2701(i)(1) of title 10, United States Code, in the paragraph catchline, strike "MILLER ACT" and substitute "SECTIONS 3131 AND 3133 OF TITLE 40".

SEC. 3. TITLE 23, UNITED STATES CODE.

Title 23, United States Code, is amended as follows:

(1) In section 107(a), strike "the Act of February 26, 1931, 46 Stat. 1421" and substitute "sections 3114 to 3116 and 3118 of title 40".

(2) In section 210(e), strike "the Act of February 26, 1931; 46 Stat. 1421" and substitute "sections 3114 to 3116 and 3118 of title 40".

SEC. 4. TITLE 28, UNITED STATES CODE.

Title 28, United States Code, is amended as follows:

(1) In the analysis for chapter 91, in the item related to section 1499, strike "Contract Work Hours and Safety Standards Act" and substitute "chapter 37 of title 40".

(2) In section 1499, in the section heading, strike "Contract Work Hours and Safety Standards Act" and substitute "chapter 37 of title 40".

SEC. 5. TITLE 36, UNITED STATES CODE.

Title 36, United States Code, is amended as follows:

(1) In the analysis for chapter 5, after the item related to section 509, insert the following:

"510. Disclosure of and prohibition on certain donations."

(2) In the analysis for chapter 5, in the last item, which is related to "Authorization of appropriations", strike "510" and substitute "511".

(3) In the analysis for chapter 23, in the item related to section 2306, strike "museum" and substitute "Museum".

(4) In section 2301, in the first sentence, strike "United State Government" and substitute "United States Government".

(5) In section 20908(c), strike "board or directors" and substitute "board of directors".

(6) In section 40103(13), strike "laws of the each State" and substitute "laws of each State".

(7) In section 70912(b), strike "Corporation" and substitute "corporation".

(8) In section 150511(b), strike "with secretary" and substitute "with the secretary".

(9) In section 151303(c), strike "The Chairman" and substitute "The chairman".

(10) In section 153513(a)(1), strike "(16 U.S.C. 1 et seq.), known as the National Park Service Organic Act)" and substitute "(16 U.S.C. 1 et seq.) (known as the National Park Service Organic Act)".

(11) In section 220104(a)(2)(B), strike "State" and substitute "Defense".

(12) In the analysis for chapter 2205, in the item related to section 220501, strike "Definitions." and substitute "Short title and definitions."

(13) In section 220501, in the section heading, strike "Title and Definitions" and substitute "Short title and definitions".

(14) In section 220501(a), in the subsection catchline, strike "TITLE" and substitute "SHORT TITLE".

(15) In section 220505(b)(9), strike "this Act" and substitute "this chapter".

(16) In section 220506(d)(3)(A), strike "subsections" and substitute "subsection".

(17) In section 220509(b)(1)(A), strike "a" before "paralympic sports organizations".

(18) In section 220511, in the section heading, strike "Annual report" and substitute "Report".

(19) In section 220512, strike "Corporation" and substitute "corporation".

(20) In section 220521(a), strike "subsections" and substitute "subsection".

SEC. 6. TITLE 40, UNITED STATES CODE.

Title 40, United States Code, is amended as follows:

(1) In section 522(a), strike "of this section".

(2) In section 522(b), in the subsection catchline, strike "AT" and substitute "AT".

(3) In section 552(a), strike "(a) AUTHORITY TO TAKE PROPERTY Administrator" and substitute "(a) AUTHORITY TO TAKE PROPERTY.—The Administrator".

(4) In section 554(c), in the subsection catchline, strike "TRANSPORTATION." and substitute "TRANSPORTATION.—".

(5) In section 581(b), strike "The Administrator may—" and substitute "The Administrator of General Services may—".

(6) In section 593(b), strike "available to the Administration" and substitute "available to the General Services Administration".

(7) In section 611—

(A) after "under section 1343, 1344, or 1349(b)", insert "of title 31"; and

(B) after "under section 641", insert "of title 18".

(8) In section 3131(e), in the subsection catchline, strike "TO" and substitute "To".

(9) In section 3133(b), in the subsection catchline, strike "To" and substitute "To".

(10) In section 3133(c), strike "(c) A waiver" and substitute "(c) WAIVER OF RIGHT TO CIVIL ACTION.—A waiver".

(11) In section 3141(1), strike "1494" and substitute "1494".

(12) In section 3142(d), after "amount referred to in section 3141(2)(B)", insert "of this title".

(13) In section 3142(e), after "determined under section 3141(2)(B)", insert "of this title".

(14) In section 3701(b)(3)(B)—

(A) in the subparagraph catchline, strike "3902" and substitute "3702";

(B) strike "3902" and substitute "3702"; and

(C) strike "subsection (a)(2)(C)" and substitute "paragraph (1)(B)(iii)".

(15) In section 3702(d), in the subsection catchline, strike "TO" and substitute "To".

(16) In section 3704(a)(1), after "authorized by section 553", insert "of title 5".

(17) In section 3704(a)(2), strike "of this section".

(18) In section 6111(b), in the subsection catchline, strike the second period.

(19) In the analysis for chapter 65, in the first item, which is related to "Definition", strike "6581" and substitute "6501".

(20) In the analysis for chapter 67, in the item related to subchapter I, strike "ASSIGNMENT" and substitute "ASSIGNMENT".

(21) In chapter 67, in the heading for subchapter I, strike "ASSIGNMENT" and substitute "ASSIGNMENT".

(22) In section 8104(b), strike "Commission on Fine Arts" and substitute "Commission of Fine Arts".

(23) In section 8105, strike "post-office" and substitute "post office".

(24) In section 8501(b)(1)(A), after "sections 5101 and 5102", insert "of this title".

(25) In section 8502(a), strike "5314" and substitute "5315".

(26) In section 8502(c)(2), after "sections 5101 and 5102", insert "of this title".

(27) In section 8711(a), after "sections 5101 and 5102", insert "of this title".

(28) In section 8712(a)(2), after "sections 5101 and 5102", insert "of this title".

(29) In section 8722(d)—

(A) strike "52 Stat. 802" and substitute "52 Stat. 797"; and

(B) strike "is subject" and substitute "are subject".

(30) In section 9302(b), in the subsection catchline, strike "WITH" and substitute "WITH".

(31) In section 14308(b)(2), strike "section (a)(2)" and substitute "subsection (a)(2)".

(32) In section 17504(b), in the subsection catchline, strike "WITH" and substitute "WITH".

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

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

Madam Speaker, I rise in support of H.R. 866, to make technical corrections to the United States Code. I introduced this legislation on February 16, 2005, along with Committee on the Judiciary's Ranking Member CONYERS. The Office of Law Revision Counsel of the House of Representatives has prepared this bill and submitted it to the Committee on the Judiciary under section 285(b) of title 2, United States Code. Pursuant to rule X of the House of Representatives, the Committee on the Judiciary maintains jurisdiction over the revision and codification of statutes of the United States.

This bill revises, codifies and enacts without substantive changes certain general and permanent laws. The effective titles of the United States Code under this bill, include: title 10, armed forces; title 23, highways; title 28, judiciary and judicial procedure; title 36, patriotic and national observances,