

copyrighted works have to the well-being of not only my home state of California, but also the economy of the entire Nation.

It has been reported that the copyright industries are creating jobs at three times the rate of the rest of the economy. These industries have a surplus balance of trade with every single country in the world, and that last year they accounted for 5 percent of the U.S. Gross Domestic Product. Few other industries can boast of such a successful record, and the protection we grant to copyrighted works is directly responsible for that success.

The message is clear. Striking the appropriate balance in copyright protection is vital to maintaining consumer choice, and in maintaining this vibrant part of the American economy. Sufficient protection means the continue investment in the production of creative works, which results in greater choices for consumers.

Insufficient protection of copyrighted works, on the other hand, will negatively affect the ability and desire of creators and lawful distributors of such works to make the necessary investment of time, money and other resources to continue to create and offer quality works to the public.

That is why we must carefully consider any degradation of that protection, even when proposed limitations would benefit other important segments of our society, such as the educational community.

I believe that this legislation strikes the appropriate balance by allowing accredited, nonprofit educational institutions to make certain uses of copyrighted works, but requiring them to technologically protect those works to prevent unauthorized uses by others.

The application of appropriate technological protection to copyrighted works is increasingly important as we move from the analog to the digital world. Technological protection will facilitate the availability of copyrighted works in high-quality, digital formats and in global, networked environments.

That is why the provisions of this legislation directing the Undersecretary of Commerce for Intellectual Property to look at what protective technologies are out there will be of great importance to this Committee in the near future as the online environment and the world of e-commerce develops.

Questions such as whether unilateral protection applied to works by copyright owners will provide a sufficiently secure environment or whether bilateral technologies—which invoke a “handshake” of sorts between the work and the machine used to access the work—should be examined more closely have yet to be answered.

This study should help us give us an invaluable resource with regard to renewable, ungradeable, and robust forms of protection that will allow valuable copyrighted works to move freely and

securely through the digital environment.

AMENDMENT NO. 793

Mr. REID. Madam President, Senators HATCH and LEAHY have an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. HATCH, for himself and Mr. LEAHY, proposes an amendment numbered 793.

Mr. REID. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify the application of certain technological measures)

On page 9, lines 14 and 15 strike “, in the ordinary course of their operations,” and insert “reasonably”.

Mr. REID. Madam President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 793) was agreed to.

Mr. REID. Madam President, I ask unanimous consent the committee substitute amendment, as amended, be agreed to, the bill be read a third time and passed, an amendment at the desk to the title be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 487), as amended, was read the third time and passed.

The amendment (No. 794) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of copies or phonorecords of such performances or displays is not an infringement under certain circumstances, and for other purposes.”.

MEASURES READ THE FIRST TIME—H.R. 503 AND H.R. 1885

Mr. REID. Madam President, I understand the following bills are at the desk: H.R. 503 and H.R. 1885. That being the case, I ask unanimous consent that the bills be considered as having been read the first time. Further, I ask unanimous consent that there be an objection to the requests for their second reading, en bloc.

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

Under the rule, the bills will be read for the second time on the next legislative day.

ORDERS FOR FRIDAY, JUNE 8, 2001

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m., on Friday, June 8. I further ask consent that on Friday, immediately following the prayer and the 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 proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. Madam President, as has been previously announced by our leader, Senator DASCHLE, there will be no rollcall votes on Friday. And as he has also previously stated, the next rollcall votes will occur on Monday at 5:15 p.m. I do say to everyone, again, within the sound of my voice that we did a pretty good job today of adhering to the 20-minute rule. We certainly did not adhere to it completely, but we were quite close. We are going to continue next week until people are in the habit of voting within 20 minutes.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Friday, June 8, 2001, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 7, 2001:

DEPARTMENT OF DEFENSE

STEVEN JOHN MORELLO, SR., OF MICHIGAN, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY, VICE CHARLES A. BLANCHARD, RESIGNED.

WILLIAM A. NAVAS, JR., OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE CAROLYN H. BECRAFT.

DEPARTMENT OF THE TREASURY

SHEILA C. BAIR, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE GREGORY A. BAER, RESIGNED.

DEPARTMENT OF TRANSPORTATION

ELLEN G. ENGLEMAN, OF INDIANA, TO BE ADMINISTRATOR OF THE RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE KELLEY S. COYNER, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ALEX AZAR II, OF MARYLAND, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE HARRIET S. RABB, RESIGNED.

DEPARTMENT OF STATE

CLARK T. RANDT, JR., OF CONNECTICUT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF CHINA.

C. DAVID WELCH, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARAB REPUBLIC OF EGYPT.