

(5) The excellent training record of the 100th Infantry Battalion and petitions from prominent civilian and military personnel helped convince President Roosevelt and the War Department to reopen military service to Nisei volunteers who were incorporated into the 442nd Regimental Combat Team after it was activated in February of 1943.

(6) In that same month, the 100th Infantry Battalion was transferred to Camp Shelby, Mississippi, where it continued to train, and even though the battalion was ready to deploy shortly thereafter, the battalion was refused by General Eisenhower, due to concerns over the loyalty and patriotism of the Nisei.

(7) The 442nd Regimental Combat Team later trained with the 100th Infantry Battalion at Camp Shelby in May of 1943.

(8) Eventually, the 100th Infantry Battalion was deployed to the Mediterranean and entered combat in Italy on September 26, 1943.

(9) Due to their bravery and valor, members of the Battalion were honored with 6 awards of the Distinguished Service Cross in the first 8 weeks of combat.

(10) The 100th Battalion fought at Cassino, Italy in January 1944, and later accompanied the 34th Infantry Division to Anzio, Italy.

(11) The 442nd Regimental Combat Team arrived in Civitavecchia, Italy on June 7, 1944, and on June 15 of the following week, the 100th Infantry Battalion was formally made an integral part of the 442nd Regimental Combat Team, and fought for the last 11 months of the war with distinction in Italy, southern France, and Germany.

(12) The battalion was awarded the Presidential Unit Citation for its actions in battle on June 26-27, 1944.

(13) The 442nd Regimental became the most decorated unit in United States military history for its size and length of service.

(14) The 100th Battalion and the 442nd Regimental Combat Team, received 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 560 Silver Stars, 4,000 Bronze Stars, 22 Legion of Merit Medals, 15 Soldier's Medals, and over 4,000 Purple Hearts, among numerous additional distinctions.

(15) The United States remains forever indebted to the bravery, valor, and dedication to country these men faced while fighting a 2-fronted battle of discrimination at home and fascism abroad.

(16) Their commitment and sacrifice demonstrates a highly uncommon and commendable sense of patriotism and honor.

(17) The Military Intelligence Service (in this Act referred to as the "MIS") was made up of about 6,000 Japanese American soldiers who conducted highly classified intelligence operations that proved to be vital to United States military successes in the Pacific Theatre.

(18) As they were discharged from the Army, MIS soldiers were told not to discuss their wartime work, due to its sensitive nature, and their contributions were not known until passage of the Freedom of Information Act in 1974.

(19) MIS soldiers were attached individually or in small groups to United States and Allied combat units, where they intercepted radio transmissions, translated enemy documents, interrogated enemy prisoners of war, volunteered for reconnaissance and covert intelligence missions, and persuaded enemy combatants to surrender.

(20) Their contributions continued during the Allied postwar occupation of Japan, and MIS linguistic skills and understanding of Japanese customs were invaluable to occupation forces as they assisted Japan in a peaceful transition to a new, democratic form of government.

## SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of the Congress, of a single gold medal of appropriate design to the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army, collectively, in recognition of their dedicated service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army, under subsection (a), the gold medal shall be given to the Smithsonian Institution, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of the Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other appropriate locations associated with the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army.

## SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

## SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

## SEC. 5. AUTHORITY TO USE FUNDS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUNDS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, an amount not to exceed \$30,000 to pay for the cost of the medal authorized under section 2.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

## STAR-SPANGLED BANNER BICENTENNIAL COMMEMORATIVE COIN ACT

Mr. DODD. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of H.R. 2097 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2097) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DODD. Mr. President, I ask unanimous consent that the bill be read a

third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The bill (H.R. 2097) was ordered to a third reading, was read the third time, and passed.

## COPYRIGHT CLEANUP, CLARIFICATION, AND CORRECTIONS ACT OF 2010

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3689, introduced earlier today by Senators LEAHY and SESSIONS.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3689) to clarify, improve, and correct the laws relating to copyrights.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today, the Senate considers bipartisan legislation to make a number of improvements in the way the Copyright Office functions. This bill will also clarify certain areas of copyright law to provide certainty, and make technical corrections to the Code. The Copyright Office has done a terrific job, as it always does, assisting Congress in finding inefficiencies in the law and recommending appropriate changes. I appreciate the Senate acting swiftly to pass this bill.

This bill is another bipartisan effort to improve the copyright laws. Similar to the Trademark Technical and Conforming Amendments Act, today's legislation makes commonsense improvements to the copyright system that will make it more efficient. Congress should work in a bipartisan fashion to find inefficiencies and correct them. We are doing that today.

The provisions of the bill fall into three categories: those designed to make the Office's operations more efficient; those designed to clarify issues of copyright law made unclear either by recent court decisions or by ambiguities in the statute; and those that are technical.

In the first category, the Copyright Office has requested two statutory changes that will facilitate their transition to digital files and record keeping. These changes will also make it easier for filers to submit documents electronically.

In the second category, the bill clarifies, for instance, that the exclusive licensee of a work may further license the work in the absence of an agreement to the contrary. There are inefficiencies that arise from a lack of clarity in the statute, particularly as circuit splits arise. The bill makes other clarifications, such as that the distribution of a phonorecord prior to 1978 shall not constitute a publication of a dramatic and literary work included in

it. Congress made this clarification with respect to musical works in 1997, and we do so with respect to other works today.

In the third category, the bill includes numerous technical corrections. Finally, this legislation fulfills a commitment I made to the chairman and ranking member of the House of Representatives Committee on the Judiciary just before the House passed the Trademark Technical and Conforming Amendments Act. The chairman and ranking member suggested that we strike the words “by corporations” from section 4 of that law. I agreed, and offered to include such an amendment in subsequent legislation. That change is included in this bill.

I am pleased to be joined by the Judiciary Committee ranking member, Senator SESSIONS, in sponsoring this legislation. This is a bipartisan effort. Just as we acted quickly to pass the Trademark Technical and Conforming Amendments Act earlier this year, I hope Congress will come together to promptly send this legislation to the President to be signed into law.

Mr. DODD. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The bill (S. 3689) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3689

*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 Cleanup, Clarification, and Corrections Act of 2010”.

#### SEC. 2. COPYRIGHT OFFICE PROCEDURES.

Title 17, United States Code, is amended—

(1) in section 512(c)(2), in the matter following subparagraph (B), by striking “, in both electronic and hard copy formats”; and

(2) in section 205(a), by adding at the end the following: “A sworn or official certification may be submitted to the Copyright Office electronically, pursuant to regulations established by the Register of Copyrights.”

#### SEC. 3. REPEAL OF EXPIRED PROVISIONS.

(a) TECHNICAL AMENDMENTS RELATED TO CHAPTER 6.—

(1) The heading for chapter 6 of title 17, United States Code, is amended to read as follows:

“CHAPTER 6—IMPORTATION AND EXPORTATION.”

(2) The item relating to chapter 6 in the table of chapters for title 17, United States Code, is amended to read as follows:

“6. Importation and Exportation ..... 601.”

(b) REPEAL.—Section 601 of title 17, United States Code, is hereby repealed and reserved.

(c) CONFORMING AMENDMENTS.—

(1) Section 409 of title 17, United States Code, is amended—

(A) in paragraph (9), by insert “and” after the semicolon;

(B) by striking paragraph (10); and

(C) by redesignating paragraph (11) as paragraph (10).

(2) The first sentence of section 602(b) of title 17, United States Code, is amended by striking “unless the provisions of section 601 are applicable”

#### SEC. 4. CLARIFICATIONS.

(a) TRANSFER OF OWNERSHIP.—The second sentence of section 201(d)(2), of title 17, United States Code, is amended by adding before the period the following: “, including the right to transfer or license the exclusive right to another person in the absence of a written agreement to the contrary”.

(b) CERTAIN DISTRIBUTIONS OF PHONORECORDS.—Section 303(b) of title 17, United States Code, is amended by striking “the musical work” and inserting “any musical work, dramatic work, or literary work”.

(c) PROCEEDINGS OF COPYRIGHT ROYALTY JUDGES.—Section 803(b)(6)(A) of title 17, United States Code, is amended by striking the second sentence and inserting: “All regulations issued by the Copyright Royalty Judges are subject to the approval of the Librarian of Congress and are subject to judicial review pursuant to Chapter 7 of title 5, United States Code, except as set forth in subsection (d).”

(d) LICENSES FOR CERTAIN NONEXEMPT TRANSMISSIONS.—Section 114(f)(2)(C) of title 17, United States Code, is amended by striking “preexisting subscription digital audio transmission services or preexisting satellite digital radio audio services” and inserting “eligible nonsubscription services and new subscription services”.

#### SEC. 5. TECHNICAL CORRECTIONS.

(a) Title 17, United States Code, is amended—

(1) in section 101—

(A) by moving the definition of “Copyright Royalty Judges” to follow the definition of “Copyright owner”;

(B) by moving the definition of “motion picture exhibition facility” to follow the definition of “Literary works”; and

(C) by moving the definition of “food service or drinking establishment” to follow the definition of “fixed”;

(2) in section 114(f)(2)(B), in the fourth sentence in the matter preceding clause (i), by striking “Judges shall base its decision” and inserting “Judges shall base their decision”;

(3) in section 119(g)(4)(B)(vi), by striking “the examinations” and inserting “an examination”;

(4) in section 503(a)(1)(B), by striking “copies of phonorecords” and inserting “copies or phonorecords”; and

(5) in section 704(e), in the second sentence, by striking “section 708(a)(10)” and inserting “section 708(a)”.

(b) Section 209(a)(3)(A) of Public Law 110-403, is amended by striking “by striking ‘and 509’” and inserting “by striking ‘and section 509’”.

(c) Section 4(a)(1) of Public Law 111-146 is amended by striking “by corporations attempting” and inserting “the purpose of which is”.

(d) Section 2318(e)(6) of title 18, United States Code, is amended by striking “under section” and inserting “under this section”.

#### SEC. 6. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### URGING IRAN TO RELEASE CERTAIN INDIVIDUALS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 604 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 604) urging the Government of the Islamic Republic of Iran to immediately and unconditionally release Saram Shourd, Joshua Fattal, and Shane Bauer on humanitarian grounds.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 604) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 604

Whereas on July 31, 2009, Sarah Shourd, Joshua Fattal, and Shane Bauer were taken into custody by Iranian officials after they may have inadvertently crossed the poorly marked Iranian border while hiking in the Kurdistan region of the Republic of Iraq;

Whereas Sarah, Josh, and Shane have since been held in Evin prison in Tehran, Iran;

Whereas the amount of time that Sarah, Josh, and Shane have spent in prison is unjustified in relation to their alleged offense of illegal entry into Iran;

Whereas during their detention, Sarah, Josh, and Shane have only been afforded the opportunity to see their families during a brief visit in May;

Whereas according to their families, Sarah and Shane may be suffering from potentially serious health problems;

Whereas the families of Sarah, Josh, and Shane have suffered greatly in the absence of their loved ones; and

Whereas July 31, 2010, will mark the 1-year anniversary of their detention: Now, therefore, be it

*Resolved*, That Congress—

(1) recognizes that Sarah Shourd, Joshua Fattal, and Shane Bauer have been held in custody in Iran for 1 year; and

(2) urges the Government of Iran to immediately and unconditionally release Sarah Shourd, Joshua Fattal, and Shane Bauer on humanitarian grounds and allow them to reunite with their families in the United States.

#### MEASURE READ THE FIRST TIME—H.R. 5901

Mr. DODD. Mr. President, I understand that H.R. 5901 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock