

- to support HIV/AIDS substance abuse activities;
- to provide critical technical assistance in high-risk communities; and
- to build and sustain HIV/AIDS infrastructure.

In addition, these emergency funds will provide HHS with \$139 million to prepare for and manage the response to the medical and public health consequences of a chemical-biological weapons incident. Of the \$139 million provided, the Centers for Disease Control and Prevention will use \$127 million to establish a civilian pharmaceutical stockpile and to improve public health surveillance, communications, epidemiologic capabilities, and laboratory capacity to respond to a chemical-biological weapons incident.

HHS' Office of Emergency Preparedness will use \$7 million to enhance medical response systems for a chemical-biological weapons incident, including funds to increase the number of local first responder teams. The remaining funds are for one-time projects initiated by Congress.

Finally, the Centers for Disease Control and Prevention will receive \$28 million for global polio eradication and measles elimination efforts.

I am disappointed that Congress has chosen to earmark individual projects within the emergency funding provided by P.L. 105-277 for HHS' Public Health and Social Services Emergency Fund and has done so in such a way that I must request all of the funds provided or none at all.

## Statement on Signing the Digital Millennium Copyright Act October 28, 1998

Today I am pleased to sign into law H.R. 2281, the "Digital Millennium Copyright Act." This Act implements two landmark treaties that were successfully negotiated by my Administration in 1996 and to which the Senate gave its advice and consent to ratification on October 21, 1998. The Act also limits the liability of online service providers for copyright infringement under certain conditions.

The World Intellectual Property Organization (WIPO) Copyright Treaty and the WIPO Performances and Phonogram Treaty mark the most extensive revision of international copyright law in over 25 years. The treaties will grant writers, artists, and other creators of copyrighted material global protection from piracy in the digital age.

These treaties will become effective at a time when technological innovations present us with great opportunities for the global distribution of copyrighted works. These same technologies, however, make it possible to pirate copyrighted works on a global scale with a single keystroke. The WIPO treaties set clear and firm standards—obligating signatory countries to provide "adequate legal protection" and "effective legal remedies" against circumvention of certain technologies that copyright owners use to protect their works, and against violation of the integrity

of copyright management information. This Act implements those standards, carefully balancing the interests of both copyright owners and users.

I am advised by the Department of Justice that certain provisions of H.R. 2281 and the accompanying Conference Report regarding the Register of Copyrights raise serious constitutional concerns. Contrary to assertions in the Conference Report, the Copyright Office is, for constitutional purposes, an executive branch entity. Accordingly, the Congress may exercise its constitutionally legitimate oversight powers to require the Copyright Office to provide information relevant to the legislative process. However, to direct that Office's operations, the Congress must act in accord with the requirements of bicameralism and presentment prescribed in Article I of the Constitution. Further, the Congress may not require the Register to act in a manner that would impinge upon or undermine the President's discretion under Article II, section 3 of the Constitution to determine which, if any, executive branch recommendations to the Congress would be "necessary and expedient." Accordingly, I will construe sections 103(a), 104(b), 401(b), and 403(a) of H.R. 2281 to require the Register to perform duties only insofar as such requirements are consistent with these constitutional principles.

From the efforts of the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks who acted as the lead negotiator for these treaties, to the agreement reached by interests affected by online service provider liability, to the improvements added by two House Committees and one Senate Committee, this Act reflects the diligence and talents of a great many people. Through enactment of the Digital Millennium Copyright Act, we have done our best to protect from digital piracy the copy-

right industries that comprise the leading export of the United States.

WILLIAM J. CLINTON

The White House,  
October 28, 1998.

NOTE: H.R. 2281, approved October 28, was assigned Public Law No. 105-304. An original was not available for verification of the content of this statement.

## Statement on Signing the Next Generation Internet Research Act of 1998 *October 28, 1998*

I am pleased to sign into law H.R. 3332, the “Next Generation Internet Research Act of 1998.” Building on the solid foundation of the High-Performance Computing Act of 1991, this bill authorizes an ambitious new research program in advanced communication technologies that will be critical for assuring American prosperity, national and economic security, and international competitiveness in the 21st century.

Federal investment in computer networking technology and related fields spurred technological developments that have created new businesses and jobs; given powerful new tools to the research community; made it easier for citizens to participate in their government; allowed small businesses, remote communities, and people with disabilities to participate in the world economy; and improved the Nation’s quality of life. The work launched by this bill will lead to even greater achievements.

Specifically, H.R. 3332 authorizes the National Science Foundation, Department of Energy, National Institutes of Health, National Aeronautics and Space Administration, and National Institute of Standards and Technology to work with America’s business and academic communities in an ambitious new research program. The role of the Department of Defense in this research has already been authorized in Public Law 105-261, which I signed on October 17, 1998. This research will lead to a new generation of Internet capabilities that will provide connections that are not only much faster, but also more reliable, secure, and high-quality. The

next generation of the Internet will facilitate a range of unprecedented new services—such as the ability to support tele-surgery and other medical services—which require extremely high levels of reliability and protection.

The bill also authorizes an advanced “testbed” network that will link key Federal and university research centers. These testbeds will permit America’s leading research teams to develop new Internet techniques and demonstrate how those techniques can advance a wide range of critical research initiatives.

This forward-looking legislation will help ensure that the Nation continues to support a balanced program of research in high-speed computers, communication systems, and the software necessary to put technology to practical use at work and at home.

Vice President Gore’s vision and leadership led to the 1991 High-Performance Computing Act, and I want to thank him for the key role he has played in ensuring that research in this critical and fast-paced area is focused on the most important missions and is managed efficiently. This new legislation will build on that standard of excellence.

WILLIAM J. CLINTON

The White House,  
October 28, 1998.

NOTE: H.R. 3332, approved October 28, was assigned Public Law No. 105-305. An original was not available for verification of the content of this statement.