

embassy, and they took hostages of our diplomats and we did nothing. We failed to defend our soil and our people and our diplomats and a terrible message went forward.

□ 2015

We failed to address the attacks properly of the first bombing of the World Trade Center and on the U.S.S. *Cole* and other attacks.

We have sent a terribly erroneous message in the past that America does not have the courage or the stomach to complete the defense of ourselves or to finish what we start. That is what Osama bin Laden has been saying for years. If we just keep attacking, keep up the insurgency, America does not have the stomach to win. We will wear them down.

And now I hear colleagues verifying they do not have the stomach to complete what we started. My colleagues, when I was in Iraq in March, one former general under Saddam looked me in the eyes, a Sunni, and said, If the U.S. will just stay behind us and back us until we get our constitution and have the next election, you will see most of the violence in Iraq stop. The terrorists know how critical it is that this battle go on. They know that if freedom and a free society take hold in Iraq, in a Muslim country in the Middle East, they lose.

Some of the people who now are calling for a date certain to withdraw are some of the same people in 1991 who screamed at former President Bush, stop, stop, do not attack, they are surrendering. Get out. Do not go to Baghdad. And shortly after that, after he did as they implored, they said well, he is just too weak. He did not have the stomach to finish what he started. He was a weak President. He should have done what he started and gone on to Baghdad. Now they are doing the same thing to this President. I thank God he has the backbone to stay in there.

Please, I would encourage my colleagues to not push for a date certain. It would not have worked in World War II or in any war. It tells the opponents, the enemy, that we do not have the stomach to stay in there. We have a plan. We are training policemen, we are training soldiers. They will be able to defend themselves. Let us ensure that Iraq will win the peace and that the terrorists lose.

#### SUPREME COURT DECISION ON MGM V. GROKSTER

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under a previous order of the House, the gentleman from California (Mr. BERMAN) is recognized for 5 minutes.

Mr. BERMAN. Mr. Speaker, I want to join with my colleagues, the gentleman from California (Mr. SCHIFF), the gentlewoman from California (Ms. WATSON), the gentlewoman from California (Ms. LINDA T. SANCHEZ), and a colleague who wanted to be here as well

but could not be, the gentlewoman from California (Mrs. BONO), to react to a unanimous decision that came down today by the Supreme Court in the *MGM v. Grokster* case.

That ruling is a victory for American innovation. Artists will thrive, be encouraged to create the music and movies we love, and legitimate technology companies that distribute those same movies and music will no longer have to compete with piracy profiteers. Conversely, services that breed a culture of contempt for intellectual property will have to answer for their ill-gotten gains.

In addition to providing us with movies, sound recordings, computer games and software, books and other creative works, the core copyright industry accounts for over 6 percent of the U.S. gross domestic product. Businesses that rely on copyright employ more than 11 million U.S. workers. Unfortunately, the copyright piracy taking place over peer-to-peer networks has become a great threat to the livelihoods of all copyright creators. Therefore, robust protection for creativity is necessary to support everyone from the most famous artists to the completely unknown set designer, from shareholders and executives of studios and R&D record companies and software companies to the many thousands of hourly-wage earners who work for them.

Piracy robs creators and owners of sound recordings and movies of their right to be first in the market. But most harmful, peer-to-peer networks have created a culture where too many consumers, including our children, are accustomed to receiving their choice of entertainment anytime, anyplace, in any format for free, without providing the creator his or her rightful compensation.

In a 9-0 opinion, the Supreme Court has told businesses that facilitate copyright infringement that they will be held directly accountable for their actions. A business cannot model its success on the destruction of another's industry. To paraphrase Justice Kennedy's observation in the oral argument, unlawful expropriated property cannot be used by a business as part of its start-up capital.

This decision "does nothing to compromise legitimate commerce or discourage innovation having lawful promise." It has merely found a balance between the legitimate demand of copyright owners for effective protection and the rights of others to engage in substantially unrelated areas of commerce. Just because the transmission of these files happened in the ether, does not mean that the protection should only be symbolic. Just because we are in a digital age, the definition of stealing does not change. If I go to a store and take a CD without paying for it, I am stealing. If I go to a peer-to-peer network and download a song for free, I am also stealing.

The Supreme Court has instructed businesses: "You may not entice indi-

viduals to commit a moral and legal wrong." It is willing to hold businesses responsible for the part they play in promoting theft. It has issued a loud warning that companies will not be allowed to gain from illegal distribution. Those that specifically design their business models to target the demand for copyright infringement will be stuck wearing the bulls-eye.

Shed no tears: these illegitimate peer-to-peer networks are not innovators; they are free riders. Their services make it hard to teach our children about right and wrong. They send adware, spyware, viruses, and pornography on to our computers and into our homes. There are a great many reasons for parents, teachers, creators, and others to rejoice about the message the Supreme Court sent today.

Both the content and tech industry must continue developing innovative and legitimate ways to distribute content so that consumers can access entertainment on a variety of devices. This decision will improve opportunities for legitimate music and movie distribution, putting out of business the black marketeers.

This decision has provided greater protection for intellectual property rights and has provided the tools to effectively combat copyright theft. In turn, it will keep an engine of America's economic growth thriving by promoting innovation and creativity in entertainment and the arts. The decision is also a win for legitimate technology companies. Those who have structured their businesses to distribute content in innovative and legal ways that compensate the creator while providing consumers quality in choice should laud this decision.

The Founding Fathers dealt with pirates on the high seas and had the intuition to address the pirates over the air. They afforded protection in the Constitution for intellectual property rights that serve as the cornerstone of American innovation. The Supreme Court today has helped carry out the mission of article I section 8 of the Constitution by promoting the progress of science and the useful arts.

#### MGM V. GROKSTER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, I would join with my colleagues about today's unanimous decision by the Supreme Court in *MGM v. Grokster*, for it represents a great triumph for American creativity and innovation. File-sharing companies that actively coax consumers into violating copyright laws can no longer escape legal consequences under the guise of fair use. They will no longer be able to rip off from the talent and the hard work of our Nation's creators. In ruling for our Nation's creative artists, the Supreme Court today struck a proper balance