

It is the rule of law that unifies this country. It is the rule of law that allows each American the opportunity to enjoy and to pursue what our founding fathers and every generation of Americans since have always hoped for—that each American be entitled to life, liberty and the pursuit of happiness. If we, indeed, cherish the notions of personal freedom and individual liberty granted to every single American, then we will seek to vindicate the rule of law and proceed with this matter with all deliberate speed and an unbreakable bond with each other towards fairness, equity and justice for each party involved, including the President of the United States.

Mr. Speaker, too many Americans have died to defend these principles we hold so sacred. Too many generations of Americans have given so much to wish reluctantly that this matter just disappear. Just as important, Mr. Speaker, with the Almighty blessing, generations of Americans yet unborn will look back to this day and claim this to be one of America's finest hours, not as a sideshow that some are trying to depict this as.

Each Member of this body still must maintain an obligation and responsibility to be bound to our oath of office, the same oath of office voluntarily taken by the President of the United States. Accordingly, Mr. Speaker, I support this resolution.

DIGITAL MILLENNIUM COPYRIGHT ACT

SPEECH OF

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 12, 1998

Mr. BOUCHER. Mr. Speaker, I am pleased to rise in support of the conference report on H.R. 2281.

Through this legislation, we extend new protections to copyright owners to help them guard against the theft of their works in the digital era. At the same time, we preserve the critical balance in the copyright law between the rights of copyright owners and users by also including strong fair use and other provisions for the benefits of libraries, universities, and information consumers generally.

I am pleased to advise my colleagues that many of the compromises achieved in this legislation reflect the work of the Commerce Committee. I want to underscore my appreciation for the leadership of Chairman BLILEY and Ranking Member DINGELL in successfully crafting balanced legislation both in the Committee and as conferees.

I want to highlight briefly several provisions addressing fair use and the effect of this legislation on consumer electronics devices, computers and other technologies. These provisions are fundamental to the balance that the conferees have achieved in this measure.

First, the conferees included a provision which ensures that the legislation's prohibition against circumvention of copy protection technologies in digital works does not thwart the exercise of fair use and other rights by all users. This safeguard requires that the Librarian of Congress, in consultation with the Register of Copyrights and the National Telecommunications and Information Administration of the Commerce Department, conduct

proceedings periodically to determine if these rights are being adversely affected by copy protection technologies in the digital age. If the Librarian of Congress determines that non-infringing uses of certain classes of copyright works are, or are likely to be, adversely affected, then the measure's prohibition against circumvention of copy protection technologies shall not apply to users with respect to those works.

Second, with respect to consumer electronics devices and other equipment, the conferees included a "no mandate" provision which should reassure manufacturers of future digital telecommunications, consumer electronics and computing products that they have the design freedom to choose parts and components in designing and building new equipment. Read together with other provisions of the measure and other parts of the relevant legislative history, the "no mandate" provision confirms that Congress does not intend to require equipment manufacturers to design new digital telecommunications equipment, consumer electronics and computing products to respond to any particular copy protection technology.

Third, the conferees also clarified that manufacturers, retailers and professional services can make "playability" adjustments to their equipment without fear of liability. Recognizing that, whether introduced unilaterally or after a multi-industry development process, a copy protection technology might cause playability problems, the conferees explicitly stated that makers or servicers of consumer electronics, telecommunications or computing products can mitigate these problems without being deemed to have violated the measure's prohibition against circumvention of a copy protection technology. Equipment manufacturers should thus be able to make product adjustments without fear of liability, and retailers and professional servicers should not feel burdened with the threat of litigation in repairing videocassette recorders and other popular products for their customers.

Taken together, these provisions demonstrate that the legislation is not intended to diminish core fair use and other rights that have always been recognized in our copyright law. These provisions confirm that the measure does not limit the development and use of consumer electronics, telecommunications, and computer products used by libraries, universities, schools and consumers everyday for perfectly legitimate purposes.

In short, with these and the other changes made to preserve the rights of information consumers, the conferees have produced a bill worthy of our support. I commend their efforts in achieving this careful compromise.

VETERANS' BENEFITS ENHANCEMENT ACT OF 1998

SPEECH OF

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. STUMP. Mr. Speaker, we have unfortunately come to the point of impasse with the other body over efforts to wrap up veterans' legislation in the 105th Congress.

The House and Senate Veterans' Affairs Committee have reached agreement on a

wide-ranging package of veterans' program enhancements in our usual bipartisan fashion.

The House is ready to act on that agreement.

However, there seems to be difficulty in the other body because certain Members may disagree with the compromises agreed to by the two veterans' committees.

We should not have come to this point, Mr. Speaker.

The House has worked diligently this year on veterans' legislation.

We have passed bills in a timely fashion: two bills in the month of March, two bills in May, and two in early August.

In contrast, the other body did not bring a veterans' bill to the floor until the last day of September.

They are still trying to bring up various bills under unanimous consent but holds are being placed on some of them for one reason or another.

This puts the House in the difficult position of facing the need to try one last time in this session to move a bill which includes all the agreements reached between the two Veterans' Affairs Committees.

Passage of House amendments to the Senate amendment to H.R. 4110 will provide the Senate the opportunity to either send this entire package to the President for his signature or kill the bill, including the cost-of-living adjustment for veterans service-connected disability payments. I want to make it very clear to House Members and Members in the other body that I will not ask the House to take any further action on this legislation this year.

The House has done its job, more than once.

The other chamber should clear this bill for the President to sign.

We should be forthright and sincere about our efforts on behalf of veterans rather than engaging in brinkmanship over the provisions on one particular piece of legislation.

I hope we can avoid this situation in the future, Mr. Speaker.

The House Committee would like to work with the other body next year to reach agreement on individual bills during the course of the session.

Waiting until the very last minute to act on bills risks our entire work product on behalf of veterans.

I believe this bill is an excellent package of program enhancements for veterans.

It clearly demonstrates action by Congress to fulfill our Nation's commitment to those who have sacrificed in defense of freedom.

This bill includes:

Significant progress toward improving health care to Persian Gulf war veterans;

An independent scientific evaluation by the National Academy of Science of the potential health effects of risk factors veterans may have been exposed to in the Gulf war;

An increase in pensions for those incredible heroes who earned the Congressional Medal of Honor;

A new innovative loan guarantee program for multifamily transitional housing for homeless veterans;

Burial benefits and national cemetery eligibility for World War II merchant mariners;

Increasing the Federal share for establishing State veterans' cemeteries to one-hundred percent;

Extending VA home loan eligibility for guard and reservists through the year 2003;