

route from Memphis to Birmingham. These funds do not take resources away from the transportation trust funds, and are matched by each State.

I understand the concern of the gentleman from Wisconsin and support eliminating Federal programs that are inefficient and wasteful. However, a closer look at the facts will demonstrate that funding for the ARC is crucial for the infrastructure and economic development of many rural areas including my congressional district.

I urge my colleagues to defeat the Klug amendment and support H.R. 2203.

INTRODUCTION OF THE NO ELECTRONIC THEFT [NET] ACT OF 1997

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1997

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the No Electronic Theft [NET] Act of 1997, along with three of my colleagues from the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary, Representatives COBLE, FRANK, and CANNON. I would like to thank not only Chairman COBLE and ranking member FRANK for supporting this important legislation, but also a new and very valuable member of the subcommittee, CHRIS CANNON of Utah.

This legislation will close a loophole in our Nation's criminal copyright law, and will give law enforcement the tools it needs to bring to justice individuals who steal the products of America's authors, musicians, software producers, and others. Additionally, the bill will promote the dissemination of creative works online and help consumers realize the promise and potential of the Internet.

The Internet is a tremendous opportunity. Its growth and development are contributing to the economic expansion we have enjoyed in the last few years. Its true potential, however, lies in the future, when students and teachers can access a wealth of high quality information through the click of a computer mouse, and businesses can bring the benefits of electronic commerce to consumers. Before this can happen, creators must feel secure that when they use this new medium, they are protected by laws that are as effective in cyberspace as they are on main street.

The NET Act of 1997 clarifies that when Internet users or any other individuals sell pirated copies of software, recordings, movies, or other creative works, use pirated copies to barter for other works, or simply take pirated works and distribute them broadly even if they do not intend to profit personally, such individuals are stealing. Intellectual property is no less valuable than real property. As an example of the problems that creators are currently facing, I have attached an article from the Electronic Engineering Times, discussing the theft of recordings on the Internet.

Pirating works online is the same as shoplifting a video tape, book, or computer program from a department store. Through a loophole in the law, however, copyright infringers who pirate works willfully and knowingly, but not for profit, are outside the reach of our Nation's law enforcement officials. This bizarre situation has developed because the authors

of our copyright laws did not and could not have anticipated the nature of the Internet, which has made the theft of all sorts of copyrighted works virtually cost-free and anonymous.

The Internet allows a single computer program or other copyrighted work to be illegally distributed to millions of users, virtually without cost, if an individual merely makes it available on a single server and points others to the location. Other users can contact that server at any time of day and download the copyrighted work to their own computers. It is unacceptable that today this activity can be carried out by individuals without fear of criminal prosecution.

Imagine the same situation occurring with tangible goods that could not be transmitted over the Internet, or an individual making millions of photocopies of a best-selling book and giving them away. Imagine copying popular movies onto hundreds of blank tapes and passing them out on every street corner, or copying your personal software onto blank disks and freely distributing them throughout the world. Few would disagree that such activities are illegal—that they amount to theft and should be prosecuted. We should be no less vigilant when such activities occur on the Internet. We cannot allow the Internet to become the "Home Shoplifting Network".

The NET Act of 1997 makes it a felony to willfully infringe a copyright by reproducing or distributing 10 or more copyrighted works, with a value of at least \$5,000, within a 180-day period, regardless of whether the infringing individual realized any commercial advantage or private financial gain. It also clarifies an existing portion of the law that makes it a crime to willfully infringe a copyright for profit or personal financial gain. It does so by specifying that receiving other copyrighted works in exchange for pirated copies—bartering, essentially—is considered a form of profit and is as unlawful as simply selling pirated works for cash. In other words, if you take a pirated work, such as a software program, and trade it on the Internet and eventually barter to the point where you have a \$5,000 portfolio of software, the bill considers such bartering to be a criminal act—just as if you had sold the stolen software for \$5,000. In addition, the NET Act expressly calls for victim impact statements during sentencing and directs the sentencing commission to determine a sentence strong enough to deter these crimes.

Mr. Speaker, the United States is the world leader in intellectual property. We export billions of dollars' worth of creative works every year in the form of software, books, video tapes, sound recordings, and other products. Our ability to create so many quality products has become a bulwark of our national economy. By closing this loophole in our copyright law, the NET Act sends the strong message that we value the creations of our citizens and will not tolerate the theft of our intellectual property.

HAPPY 100TH BIRTHDAY TO COL. THOMAS DICKINSON OF BROWN COUNTY, OH

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1997

Mr. PORTMAN. Mr. Speaker, Brown County, OH will celebrate the 100th birthday of its oldest veteran, Col. Thomas Dickinson, tomorrow at the American Legion Hall in Georgetown. Colonel Dickinson has been an active member of the American Legion for 65 years and is a past commander of the Georgetown Post. His life story is a truly remarkable example of patriotism and service.

Colonel Dickinson tried for 18 months to enlist in the Army during World War I, but was told by Army doctors that his flat feet and bad heart would keep him out of the service. Nonetheless, he kept trying, and was finally allowed to enlist as a private in 1940—at the age of 43. He served in Europe during the war, in 1946, became Commissioner of Foreign Claims for Berlin. After leaving the military in 1947, he was recalled in 1949 and was sent to Korea in 1951, where he served as a public information officer. During his service in World War II and Korea, he earned 15 service medals, including the Bronze Star.

He retired from active duty in 1955, and began work as a legal adviser with the Army Corps of Engineers in 1960. His work with the Corps brought him to Georgetown, and he has kept his home in Brown County ever since, where he and his wife, Eloise, live on U.S. 52 along the Ohio River. I wish him an enjoyable 100th birthday and many more to come.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

SPEECH OF

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes:

Mr. WEYGAND. Mr. Chairman, I rise today in support of the transportation appropriations bill. First, I thank Chairman WOLF and Ranking Member SABO for their excellent work and dedication to the transportation needs of our country and my State.

I would like to address an issue important to my State. In Rhode Island we are in the process of rebuilding our economy. Restructuring our transportation system is critical to the success of that rebuilding. The funding provided in this bill will help Rhode Island in developing a world-class transportation system that includes rail, road, and air transportation.

I would like to mention one project that will have a positive impact on my State and New England. The project is the redevelopment of Quonset Point/Davisville, a 3,000-acre former naval facility in North Kingstown, RI, into a major industrial center in the Northeast.

The Quonset Point/Davisville project is of utmost importance to the economic development of my State and the region. The development of Quonset Point has broad-based support from business leaders, government officials, and the voters of Rhode Island.

Completion of the Rhode Island Rail Development project is a crucial component to providing adequate freight access to Quonset Point/Davisville. The funding provided in this bill along with a recently passed State bond agreement will go a long way to making sure that Rhode Island and New England will have adequate access to rail.

Again, I thank Chairman WOLF and Ranking Member SABO for their work in producing a bipartisan bill.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

SPEECH OF

HON. STEVE C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes:

Mr. LATOURETTE. Mr. Chairman, it has recently come to my attention that the Army Corps of Engineers is planning to restructure its Great Lakes and Ohio River Division by first severely reducing the number of employees, particularly those with decision-making authority, at its Chicago office and eventually closing it down entirely. This plan is documented in an internal Army Corps memo that I have obtained from the International Federation of Professional and Technical Engineers Local 777. This plan would leave the Great Lakes region with only one office, in Cincinnati, and would obliterate the institutional memory that is so vital to Army Corps operations in this region. Losing the Chicago division office to Cincinnati will mean that the Great Lakes will most likely lose resources, funds, and priority consideration for projects in this region.

Last year, when this Congress passed the Energy and Water Development Appropriations Act for fiscal year 1997, the Army Corps was directed to reduce its divisions to no less than six and no more than eight. The Department of the Army's Office of Civil Works submitted a plan to the Congress which detailed the restructuring plan, approved by the Secretary. This plan stated that, "The Great Lakes districts of the North Central Division will be combined with the districts of the Ohio River Division to form the Great Lakes and Ohio River Division. Division headquarters will remain in both Chicago and Cincinnati, each with a regional deputy commander and SES."

The closure of the Chicago office would affect my State as well as the entire Great Lakes region, and I am troubled by this action on the part of the Army Corps. When the Appropriations Committee wrote the language directing the Army Corps to reduce its overall division structure, I do not believe that it was the Committee's intention that a region with

projects as important as those in the Great Lakes should suffer disproportionately. The operations directed at the Chicago office are vital to projects conducted on the Great Lakes, and its closure would impede progress on many projects that my colleagues in the Great Lakes and I consider important.

Mr. Speaker, I would like to include for the RECORD two documents that are the basis for my concern. The first is a January 22, 1997, outline of the plan submitted by the Army Corps and approved by the Secretary of the Army to reorganize its division structure pursuant to the Energy and Water Development Appropriations Act of fiscal year 1997. This plan clearly indicated that the Army Corps intended to maintain dual Division headquarters offices in both Chicago and Cincinnati, each with decision-making staff. The second document that I am submitting for the RECORD was provided by the International Federation of Professional and Technical Engineers Local 777 in Chicago, IL. It includes an internal Army Corps memorandum from the Commander of the Great Lakes and Ohio Division regarding Division restructuring dated May 27, 1997. This memo states clearly the Army Corps' intention to severely reduce and eventually to close the Chicago Division office of the Great Lakes and Ohio Division. Mr. Speaker, thank you for allowing me this opportunity to bring this matter to my colleagues' attention.

DEPARTMENT OF THE ARMY, OFFICE
OF THE SECRETARY OF THE ARMY,
Washington, DC.

Information for Members of Congress

The Energy and Water Development Appropriations Act of fiscal year 1997 (PL 104-206) requires that the Secretary of the Army develop a plan that reduces the number of U.S. Army Corps of Engineers divisions to no less than six and no more than eight, with each division responsible for at least four district offices. The Secretary has approved such a plan; the purpose of this paper is to inform you of its provisions.

An outline of the plan is attached. The key elements of this plan are as follows:

1. The Corps will convert New England Division to district status and assign it under the North Atlantic Division.

2. The Alaska District will be transferred from the North Pacific Division to the Pacific Ocean Division (POD). POD headquarters will remain in Honolulu.

3. The Great Lakes districts of the North Central Division (NCD) will be combined with the districts of the Ohio River Division to form the Great Lakes and Ohio River Division. Division headquarters offices will remain in both Chicago and Cincinnati, each with a regional deputy commander and SES.

4. The districts of the North Pacific Division (less Alaska) will be combined with the districts of the Missouri River Division to form the Northwestern Division. Division headquarters offices will remain in both Portland and Omaha, each with a regional deputy commander and SES.

5. Two districts located along the Mississippi River (currently assigned to NCD) will be combined with the districts currently assigned to the Lower Mississippi Valley Division. The division will be renamed as the Mississippi Valley Division.

6. One district will be transferred from the Southwestern Division to the South Pacific Division.

A briefing on the components of this plan will be provided, if desired. Please contact the Director of Civil Works, Headquarters, U.S. Army Corps of Engineers at (202) 761-0108 to request such a briefing.

Furnished by: Office, Assistant Secretary of the Army (Civil Works)

U.S. ARMY CORPS OF ENGINEERS DIVISION RESTRUCTURING PLAN, Jan. 22, 1997

Current alignment	Final configuration
Engineering and Support Center, Huntsville, Alabama.	No change.
Transatlantic Programs Center, Winchester, VA.	No change.
Transatlantic Programs Center (Europe).	No change.
South Atlantic Division. Mobile, Jacksonville, Savannah, Charleston, Wilmington.	No change.
North Pacific Division. Alaska, Portland, Seattle, Walla Walla.	North Pacific and Missouri River divisions combined to form the Northwestern Division. Alaska District transferred to POD. Division HQ offices retained in Omaha and Portland, each with regional deputy commander and SES.
Missouri River Division. Omaha, Kansas City.	Omaha, Portland, Seattle, Kansas City, Walla Walla.
Pacific Ocean Division. Honolulu, Far East (Korea), Japan.	Pacific Ocean Division. Honolulu, Far East (Korea), Japan, Alaska.
New England Division	Division functions eliminated: renamed New England District (office remains in Waltham). Assigned to North Atlantic Division.
North Atlantic Division. New York, Philadelphia, Baltimore, Norfolk.	North Atlantic Division: New York, Philadelphia, Baltimore, Norfolk, New England.
Southwestern Division. Little Rock, Albuquerque, Fort Worth, Galveston, Tulsa.	Southwestern Division: Albuquerque District transferred to South Pacific Division. Little Rock, Fort Worth, Galveston, Tulsa.
South Pacific Division. San Francisco, Sacramento, Los Angeles.	South Pacific Division: San Francisco, Sacramento, Los Angeles, Albuquerque.
North Central Division. Chicago, St. Paul, Rock Island, Detroit, Buffalo.	Ohio River and North Central divisions combined to form the Great Lakes and Ohio River Division. St. Paul and Rock Island districts transferred to Mississippi Valley Division. Division HQ offices retained in Chicago and Cincinnati, each regional deputy commander and SES.
Ohio River Division. Louisville, Huntington, Pittsburgh, Nashville.	Louisville, Chicago, Pittsburgh, Nashville, Buffalo, Huntington, Detroit.
Lower Mississippi Valley Division. Memphis, Vicksburg, New Orleans, St. Louis.	Mississippi Valley Division: Memphis, Vicksburg, New Orleans, St. Louis, Rock Island, St. Paul.

INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS,

Chicago, IL, July 21, 1997.

MS. ROCHELLE STURTEVANT,
Great Lakes Task Force, Office of Senator J. Glenn, U.S. Senate, Washington, DC.

DEAR MS. STURTEVANT: The employees of the former North Central Division are extremely grateful for the support provided by Senator Glenn and the other representatives within the Great Lakes Region. We are remiss in not passing that sentiment on sooner. We waited because many feared what General Ballard outlined was not what would occur. Unfortunately, this appears to be the case.

I want to share with you some correspondence with significant implications for any continued presence, let alone a full service, functional and decision making Great Lakes Regional Office in Chicago.

The first is a memo from the Chief of Engineers Lieutenant General Joe Ballard, dated 27 May 1997, which approved the Chicago Division Office as the Great Lakes Regional Office under the Great Lakes and Ohio River Division (LRD). It includes a request that the LRD Commander personally contact LTG Ballard on designation of functional chiefs (where the functional chiefs, i.e., Planning, Engineers, Construction who will