

business plans that incorporate copy protection technologies into their digital product offerings in order to ensure that content will be made available to consumers in digital formats. At the same time, these manufacturers have worked to ensure that those technologies are used in ways that are consistent with consumers' customary recording and viewing practices. I recognize that because the determination of whether or not a particular use is considered a "fair use" depends on a highly fact specific inquiry, it is not an easy concept to translate into a technological implementation. Our bill is not intended to encourage consumers to disable copy protection systems in order to gain increased access to protected works where the technology has been implemented in a manner that seeks to accommodate the consumer's fair use expectations. Instead, this proposal is in pursuance of a larger objective of ensuring that existing copy protection measures are implemented in ways that respect consumers' customary practices and ensuring that, as future technologies are developed, they incorporate means by which fair use of content can be made. As Congress demonstrated in developing section 1201(k) of the DMCA, there are ways to balance legislatively the interests of content owners and consumers when technological solutions that respect fair use practices can be agreed upon by all parties.

In addition to restrictions on their fair use rights, consumers face a new problem as record companies increasingly introduce into the market non-standard "copy-protected compact discs." As widely reported in the press, consumers have found that these ordinary-looking CDs do not play in some standard consumer electronics and computer products and that they cannot be copied on computer hard drives or in CD recorders. Without question, record companies should have the freedom to innovate, but they also have the responsibility to provide adequate notice to consumers about the "recordability" and "playability" of these discs. They have not done so. For that reason, I believe it is appropriate for Congress to now step in. Our bill will ensure that non-standard discs are properly labeled to give consumers adequate notice of all disfunctionalities.

In this connection, I think it is important to note that the conferees to the DMCA expected all affected industries to work together in developing measures to protect copyrighted works. As the conferees pointed out, "[one of the benefits of such consultation is to allow testing of proposed technologies to determine whether there are adverse effects on the ordinary performance of playback and display equipment in the marketplace, and to take steps to eliminate or substantially mitigate those effects before technologies are introduced." That process does not appear to have been employed with regard to the new unilaterally developed methods being used to protect compact discs.

In closing, I think it important to stress that, for over 150 years, the fair use doctrine has helped stimulate broad advances in scientific inquiry and in education, and has advanced broad societal goals in many other ways. We need to return to first principles. We need to achieve the balance that should be at the heart of our efforts to promote the interests of copyright owners while respecting the rights of information consumers. The DMCA will restore that balance.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE PATSY T. MINK, MEMBER OF CONGRESS FROM THE STATE OF HAWAII

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 1, 2002

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to thank PATSY MINK, a leader, a visionary, a mentor, and a true advocate for so many who had no voice. PATSY MINK was a woman I looked up to, learned from, and was inspired by. As the first woman of color elected to the U.S. Congress in 1964, PATSY knew what it meant to break down barriers. Her passion was for those who were otherwise forgotten or pushed to the side.

PATSY was a strong fighter for women's rights. Her leadership in the fight for equality for women and girls in education and sports has made an everlasting impact on this country. The passage of Title IX has literally changed the lives of millions of young girls and women. It opened the doors to countless opportunities for women and girls and allowed us to dream bigger than we ever had before. It allowed more people to see women as Olympic athletes and competitors. It allowed parents to see their daughters as softball players and runners. It challenged school administrators and coaches to see the potential in female athletes and embrace it.

PATSY was a relentless fighter for low-income and poor families. She had great compassion for those who were struggling against the odds to work and provide for their families. She wasn't afraid to make her voice heard in standing up for fair treatment of women receiving welfare benefits, workers' rights and fair pay, and children who were lacking food or a good education. PATSY was a fearless fighter for the environment. She helped protect Hawaii's natural beauty in national parks and worked at the local level to help communities preserve their lands. PATSY was a lifelong fighter for civil rights. She knew what it meant to stand up in the face of adversity and she worked hard to break down barriers so those coming after her would instead experience justice and equality.

PATSY was tough and passionate. I can see her now shaking her small but mighty fist as she eloquently challenged an injustice. PATSY was a pioneer and a trailblazer. As we honor the memory of PATSY MINK today, we should also think about the future that she would want and work to achieve it. PATSY would want us to pass a Labor/HHS bill that truly leaves no child behind. She would want us to fully fund the Women's Education Equity Act. She wanted to see passage of a welfare bill that lifts women and children out of poverty, not just off the welfare rolls. PATSY wants us to make sure that all people have a fair chance.

Today, as I mourn with my colleagues and extend my condolences to her family and to the people of Hawaii, I honor the memory PATSY MINK and all that she stood for. And I deeply miss her beautiful smile.

ANNIVERSARY OF THE INDEPENDENCE OF THE REPUBLIC OF CYPRUS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 2002

Mrs. MALONEY of New York. Mr. Speaker, it is with great pleasure that I speak today in honor of the 42nd Anniversary of the Republic of Cyprus. It was on October 1st in 1960, that Cyprus became an independent republic after decades of British colonial rule.

I am very fortunate and privileged to represent Astoria, Queens—one of the largest and most vibrant communities of Greek and Cypriot Americans in this country.

It is truly one of my greatest pleasures as a Member of Congress to be able to participate in the life of this community, and the wonderful and vital Cypriot friends that I have come to know are one of its greatest rewards.

This year, Cyprus' Independence Day occurs at a time of great hope for the people of Cyprus and significant advances in U.S.-Cyprus relations.

Cyprus is currently the leading candidate country for membership in the European Union during the EU's next enlargement round. On October 9, the European Commission will issue its annual progress reports on all applicant countries. The EU's enlargement Commissioner, Gunther Verheugen, said on September 30 that Cyprus' progress report will be positive and will confirm that Cyprus meets the political and economic criteria for membership. The formal invitation to the 10 most advanced candidate countries, including Cyprus, is expected to be issued in December in Copenhagen, which would allow them to join the EU on January 1st, 2004.

On June 21, 2001, I joined my colleague, Representative MICHAEL BILIRAKIS in introducing HCONRES 164, a bill that expresses the sense of Congress that security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots. This bill has 83 bipartisan cosponsors and passed unanimously in the Europe Subcommittee of the House International Relations Committee. I believe we must pass this bill on the House floor in order to voice support during a crucial period of major developments for Cyprus' EU bid.

The commemoration of Cyprus' Independence Day this year, as in the past 28 years, is clouded by the fact that 37 percent of the Mediterranean island nation's territory continues to be illegally occupied by the Turkish military forces, in violation of U.N. Security Council resolutions. But Cyprus remains committed to achieving a peaceful resolution of this tragic problem through negotiations.

United Nations-sponsored negotiations are ongoing in an effort to resolve the 28-year division of Cyprus under the framework of U.N. Security Council resolutions. The next round of meetings between the President of the Republic of Cyprus, Glafcos Clerides, and the Turkish Cypriot leader, Rauf Denktaş, with U.N. Secretary-General Kofi Annan, are scheduled for October 3–4 in New York. U.N. Secretary General Annan said on September 30 that talks to end the division of Cyprus will

continue even after the December 12 decision by the European Union, to accept Cyprus as a member. Mr. Annan stressed "we are going to continue our efforts and try to make progress as quickly as we can. If by the time of the accession the issues have not been resolved, I expect the talks to continue beyond the EU accession". The EU has made it clear for the past three years that a resolution of the Cyprus problem is not a precondition for Cyprus' EU accession and I support that viewpoint.

Cyprus and the United States have a great deal in common. We share a deep and abiding commitment to democracy, human rights, free markets, and the ideal and practice of equal justice under the law.

In fact, Cyprus was among the first nations to express its solidarity with the U.S. immediately following the September 11th terrorist attacks. Cyprus has taken many concrete and active steps to target the perpetrators, collaborators and financiers of terrorism. For example, Cyprus has endorsed and implemented all resolutions and decisions of the U.N. Security Council, the EU and other International Organizations pertaining to the fight against terrorism.

Unfortunately, Cyprus is not without its own difficult history. 37 percent of this nation is still occupied by a hostile foreign power, and it has been for more than 25 years.

On July 20, 1974, Turkey invaded Cyprus, and to this day continues to maintain an estimated 35,000 heavily armed troops. Nearly 200,000 Greek Cypriots, who fell victim to a policy of ethnic cleansing, were forcibly evicted from their homes and became refugees in their own country.

Every year, on or around July 20, I, along with my dear friend Representative BILIRAKIS, sponsor a Special Order to remember the anniversary of the Turkish invasion in a tradition that has become one of our proudest traditions.

Despite the hardships and trauma caused by the ongoing Turkish occupation, Cyprus has registered remarkable economic growth, and the people living in the Government-controlled areas enjoy one of the world's highest standards of living. Sadly, the people living in the occupied area continue to be mired in poverty.

In the times we are facing, it is clear that divisions among people create harmful, destructive environments. The U.S. has expressed its unwavering support for a peaceful solution to the Cyprus problem and I wholeheartedly agree. The relationship between Cyprus and the United States is strong and enduring. We stand together celebrating democracy and freedom, hopeful that a peaceful solution will soon be negotiated and a united Cyprus will join the EU.

BLACK LUNG CONSOLIDATION OF ADMINISTRATIVE RESPONSIBILITIES ACT

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 2002

Ms. HART. Mr. Speaker, I am pleased to sponsor legislation, on behalf of the Administration, which would consolidate all of the re-

sponsibility for the administration of the Black Lung Benefits Program under a single agency. This proposal was initially outlined in the President's FY 2003 Budget for the Department of Labor.

The Black Lung Benefits Program was enacted as part of the Coal Mine Health and Safety Act of 1969, the first comprehensive Federal legislation to regulate health and safety conditions in the coal industry. The law created a temporary system to compensate victims of dust exposure in the mines with public funds administered by the Social Security Administration (SSA).

In 1972, the Act was amended to require the use of simplified interim eligibility for all claims filed with SSA and to transfer new claims to the Department of Labor (DOL) in 1973. The Office of Workers' Compensation Programs in DOL assumed responsibility for the processing and paying of new claims on July 1, 1973. Most of the claims filed prior to that date remained within the jurisdiction of SSA until 1997.

On September 26, 1997, officials from SSA and DOL signed a Memorandum of Understanding transferring responsibility for managing all active SSA Black Lung claims to DOL. This change was aimed at eliminating any confusion about which Federal agency handles the claims and enhancing customer service to all Black Lung beneficiaries. At present, DOL manages all Federal black lung claims, while formal appeals on Part B claims are referred to SSA. The Black Lung Consolidation of Administrative Responsibilities Act would simply transfer all of the responsibilities for the administration of claims under Part B of the Act to DOL, while retaining all regulations currently applicable to the beneficiaries' entitlements.

Besides improving administrative efficiency, this transfer of responsibilities will ensure the continuation of a high level of customer service to beneficiaries. Joint audits by the Office of the Inspector General of SSA and DOL have confirmed the high quality of claims-related services being provided by DOL. Last year, the University of Michigan released the results of a customer satisfaction survey of beneficiaries receiving services from DOL and found the highest level of customer satisfaction of any of the Federal benefits programs surveyed.

Finally, the legislation implements a long-standing recommendation by the Inspector General at DOL and SSA that the administrative responsibility for the Black Lung Benefits Act should be consolidated within DOL. This change would ensure the continuation of a high level of service to program beneficiaries, while eliminating confusion and duplication of administrative functions between the two agencies.

The Black Lung Consolidation of Administrative Responsibilities Act is simply common sense and good government. I urge my colleagues to support this legislation.

RECOGNIZING AMERICAN FAMILY INSURANCE

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 2002

Ms. BALDWIN. Mr. Speaker, I rise to today to recognize American Family Insurance,

which was founded in Madison, Wisconsin 75 years ago today on October 3, 1927.

American Family Insurance was originally founded as Farmers Mutual by Herman Wittwer. Its mission was to sell auto insurance to low-risk farmers. The first policyholder paid \$15.22 for his annual premium, which was 25 percent less than the going rate. It did not take long for Farmers Mutual to become the fastest growing insurance company in Wisconsin. (As time went by, Farmers Mutual expanded its market and product line and changed its name to American Family Insurance.)

Today, American Family is Madison's largest private employer and largest company as measured by annual revenue. It provides jobs to 3,500 employees in Madison and 7,500 employees across 17 states. American Family Insurance is the tenth largest property/casualty insurance company in nation and the fourth largest mutual insurance company. At the ranking of 337, it is Dane County's only listing on the Fortune 500.

I am proud that through all of American Family's growth and expansion, the company has remained true to its Madison and Wisconsin roots. The company has shown its commitment to the area through its community giving and involvement. American Family donates more than \$1 million annually to groups and organizations that help enhance quality of life and provide opportunities for everyone in our communities.

Congratulations on 75 great years.

PERSONAL EXPLANATION

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 2002

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the chamber today during rollcall vote No. 427, No. 428, and No. 429. Had I been present, I would have voted "yea" on rollcall vote No. 427, "yea" on rollcall vote No. 428 and "nay" on rollcall vote No. 429.

JOSEPH J. URBAN: PUSHING THE POLKA

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 2002

Mr. BARCIA. Mr. Speaker, I rise today to honor my very good friend, Joe Urban of Bay City, Michigan, for his induction into the Michigan State Polka Music Hall of Fame and for his many years of cultivating and publicizing polka music in our shared hometown. The polka has long been king in Bay City, especially among the members of our significant Polish and German communities, and Joe Urban has been a polka fan and promoter since he was a boy.

Although Joe never learned to play a musical instrument, he has been beating the proverbial drum on behalf of his fellow polka music enthusiasts for more than 40 years. In 1959, he began promoting polka for festivals at St. Hyacinth Catholic Church and for dances at Pulaski Hall in Bay City. Joe's Polish Circle dinnerdances became legendary in