other analogous instrument transmitting by signs, sounds, or images, the broadcast of the work.'' Based on the Register of Copyrights' analysis of earlier versions of this bill, I am concerned that the carveout in today's bill may violate that provision.

The case has also been made to me that the carveout—which will come directly out of the pockets of songwriters—may also be a taking. How ironic that the Republican majority would spend so much time worried about takings in the property context, then turn around and do it to small business people when nobody's looking.

I am voting for today's legislation because the extension of copyright term is a critical and necessary policy change for our Nation to make. I am disappointed that the legislation includes this carveout that hurts songwriters. But it was a compromise, and I recognize that. I regret that songwriters were made to compromise on something they should not have had to be dealing with at all, but it is a compromise, and I understand that. I just am not sure that nations that may have a claim against us in the world trade organization because of a violation of the Berne Convention will understand it, and that concerns me.

HONORING THE MEMORY OF DEPUTY CONSTABLE RAY LEO ''MICHAEL'' EAKIN III

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. GREEN. Mr. Speaker, I rise today to pay tribute to Ray Leo ''Michael'' Eakin III, who died tragically on September 29, 1998, while performing his duties as a deputy constable.

I would like to extend my condolences to his parents, Bill and Janet Green, as well as his mother, Barbara Johnson, his father, Ray Eakin, Jr., and his many other relatives and friends.

Michael went out every day to make a difference and he did—some days in small ways, some days in big ways, and on September 29, 1998, at the cost of his life. One cannot ask more of peace officers.

Michael had been in law enforcement for 4½ years, spending the past 2½ years working for Harris County Precinct One Constable Jack Abercia. Before that he worked in the Montgomery County Constable's office. Michael Eakin is the first person to die while performing his duties in the Harris County Precinct One Constable's office.

During Michael's tenure with the Constable's office, he served with distinction in contract patrol, building security, warrant division and the Hardy Toll Road patrol.

He grew up in the Aldine area and attended school there. During his senior year, his family moved to Conroe, Texas, where he graduated from high school.

The loss of a peace officer is a tragic event. The Book of John, Chapter 15, verse 13 states: Greater love has not man than this, that a man way down his life for his friends.

I believe this message has special meaning today and forever. As a father and proud family man, I cannot begin to understand the pain and heartache being felt by the Green and Eakin families. I can only hope and pray that this death was not in vein, and we all join together to pray for them.

Deputy Constable Michael Eakin's dedication and devotion to the citizens of Harris County serves as a model for all law enforcement. I ask my colleagues to join me in paying tribute to the life of Michael Eakin.

RECOGNIZING NEW JERSEY BROADCASTERS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. SMITH of New Jersey. Mr. Speaker, I rise in recognition of New Jersey's broadcasters and the New Jersey Broadcasters Association who have worked in partnership to help focus public attention on some of the key concerns for residents in my state. While radio and television stations are required to address important public issues, New Jersey broadcasters have worked hard to exceed their responsibilities.

New Jersey's television and radio stations have raised over $1 million for charitable causes and donated over $3 million in air-time for public service projects. Broadcasters in my state have raised money to build new housing for needy families, provided gifts for children during the Christmas holidays, and helped many individuals who were victimized by natural disasters.

Stations in New Jersey have donated countless hours of public affairs programming and public service announcements aimed at educating residents about alcohol abuse, anti-crime initiatives, and efforts to fight poverty and hunger. Additionally, two-thirds of the radio stations in New Jersey have made it their policy to offer free air-time to political candidates. The median value of the air-time totaled $27,000 per station.

Radio and television stations have done much to provide important information for people throughout New Jersey. Their important charitable fund raising, coordinated through the New Jersey Broadcasters Association, has helped enhance the quality of life for many of our citizens.

Mr. Speaker, I would like to take this opportunity to thank Phil Roberts, the Executive Director of the New Jersey Broadcasters Association and all the people who work at New Jersey's radio and television stations for their commitment and dedication to the people of New Jersey.

DON RUMSFELD'S HISTORIC LEGACY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. GINGRICH. Mr. Speaker, the attached article from the Washington Times provides the proper perspective on the work of former Secretary of Defense Donald Rumsfeld. Frank Gaffney, Jr., recognizes that the findings of the Rumsfeld Commission are accurate and need to be given serious consideration. I recommend this article to my colleagues, and I submit the article to the CONGRESSIONAL RECORD.

[The Washington Times, Wed., Oct. 7 1998]

DON RUMSFELD'S HEROIC LEGACY

(Frank Gaffney Jr.)

Last Friday, top uniformed and civilian Pentagon officials made something of a spectacle of themselves on Capitol Hill.

It's not just that the officials—Deputy Secretary of Defense John Hamre, Vice Chairman of the Joint Chiefs of Staff Ralston and Lt. Gen. Lester Lyles, the director of the Ballistic Missile Defense Organization—were forced to admit to members of the Senate Armed Services Committee that they could no longer sustain the central tenet of the administration's resistance to the prompt deployment of missile defenses: The ballistic missile threat from a rogue state like North Korea is now recognized as likely to emerge before the United States can deploy effective anti-missile systems to defeat it.

Nor was the spectacle primarily a function of this hearing's juxtaposition with one the committee had held three days before. On the earlier occasion, the chairman of the Joint Chiefs of Staff and each of the four Service Chiefs hewed to the old party line. They parroted the JCS's position laid out in an Aug. 24 letter from their chairman, Gen. Hugh Shelton, to the chairman of the Committee's Readiness Subcommittee, Sen. Jim Inhofe, Oklahoma Republican: ''We remain confident that the intelligence community can provide the necessary warning of the indigenous development and deployment by a rogue state of an ICBM threat to the United States.''

In particular, the JCS dismissed as ''an unlikely development'' a key conclusion of the blue-ribbon, congressionally mandated commission led by former Defense Secretary Donald Rumsfeld—namely, the prospect that ''through unconventional, high-risk development programs and foreign assistance, rogue nations could acquire an ICBM capability in a short time and that the intelligence community may not detect it.''

Yet, Mr. Hamre and the generals accompanying him were obliged to acknowledge that they and the intelligence community had in fact been surprised by North Korea's test on Aug. 30 of a third-stage on its Taepo Dong 1 missile. Indeed, this demonstration of the inherent capability to manufacture intercontinental-range ballistic missiles came along years before it had been expected by the Clinton team. It happened to validate, however, the Rumsfeld Commission's warning that the United States was likely to have ''little or no warning'' of a ballistic missile threat from the likes of North Korea, Iran and Iraq.

Gen. Shelton and Co. owe Mr. Rumsfeld and his colleagues an apology—just as the nation owes the commission a debt of gratitude for helping to shatter the administration's cognitive dissonance about the escalating missile threat.

The real spectacle, though, came when the Defense Department witnesses [proceeded to assure senators of two propositions that make the systematic underestimation of the threat pale by comparison. First, they asserted that the 1972 Anti-Ballistic Missile Treaty is in no way interfering with the United States' pursuit of effective missile defenses. And second, they claimed their work on such defenses is proceeding as quickly as possible.

The one exception Messrs. Hamre, Ralston and Lyles mentioned in the latter connection was the Navy's ''AEGIS Option'': an evolution of the fleet air defense system that is operational on the world's oceans thanks

to an investment of some $50 billion to date, so as to permit it to shoot down ballistic missiles. They confirmed that this promising program was not receiving the funds it needs to proceed as quickly as technology would permit.

Unfortunately, to correct this shortfall, the Pentagon is actively considering terminating (either formally or de facto) the Army's important Theater High Altitude Area Defense (THAAD) program. Were such an ill-advised step to be taken, it would offer proof positive of the adage that two wrongs do not make a right.

The Defense Department representatives went on to perpetrate another spectacular fraud. None mentioned that the AEGIS Option is a case in point of how the ABM Treaty is, in fact, preventing effective anti-missile systems from being developed and deployed as soon as possible.

If the dead hand of this 26-year-old accord—with a country that no longer exists—were not still governing the Clinton policy toward missile defense, there is little doubt as to what would currently be happening: The nation would be rapidly evolving its AEGIS infrastructure so as to put into place within a few years a competent, worldwide defense against shorter-range missiles (currently threatening our forces and friends overseas). Absent the ABM Treaty, moreover, this program would also afford the beginnings of a missile protection for Americans here at home for a price tag estimated to total (thanks to the sunk costs) just $2 billion to $3 billion, spent out over the next five years.

At this writing, Defense Secretary William Cohen and Gen. Shelton are about to appear before the Armed Services Committee. Given the velocity with which these sessions are producing dramatic changes in administration positions, perhaps these witnesses will reveal that the truth is breaking out not only with respect to the threat, but also with regard to what can be done about it.

Under no circumstances should the witnesses be allowed further to insult senators' intelligence by promoting the absurd argument that a limited national missile defense system that literally has to be built from the ground up can be brought on-line faster and cheaper than one that is largely operational, apart from some relatively minor hardware and software changes. This defies common sense. So does the line that the ABM Treaty—which nominally permits the former and explicitly prohibits the latter, sea-based anti-missile program—is having no impact on the effort to defend America against missile attack.

Whether the truth on these fronts actually emerges from the Cohen-Shelton hearing or at some future event, one thing seems clear: It will become harder and harder to lie to the American people about their vulnerability to ballistic missile attack and about the availability of near-term, affordable options for reducing that vulnerability, provided the ABM Treaty is no longer allowed to be an impediment to bringing defenses on-line. Hats off to Don Rumsfeld and his team for creating conditions under which such momentous changes may yet result in the deployment of missile defense before they are needed.

Frank J. Gaffney Jr. is the director of the Center for Security Policy and columnist for the Washington Times.

H.R. 4569, THE FOREIGN OPERATIONS APPROPRIATIONS, FY 1999

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. BURTON of Indiana. Mr. Speaker, today I want this Congress to focus on a government that has spent years practicing torture on its own people. However, when you go home and turn on the evening news, good luck trying to find any story that reveals this particular human rights issue. And better luck getting this administration to pay any attention to the plight of thousands of innocent civilians.

We speak of tragedies all over the world this time of year. We speak of the struggles in Africa, Cambodia, and Burma. We reprimand China for its draconian abortion policies and illegal human organ sales. We threaten to stop international military and educational training (IMET) from Indonesia for abuses in East Timor. We even criticize longstanding allies like Turkey for its treatment of its Kurdish citizens without addressing the brutal murders carried out by the PKK, a Kurdish Marxist terrorist organization.

Unfortunately, there is one human rights issue that continues to escape the attention of this administration, some members of this Congress and the media. That issue involves the plight of the Sikhs in Punjab or Khalistan; the plight of the Kashmiris; the plight of christians in Nagaland; and the plight of the ''untouchables'', the lowest caste in India's system.

Mr. Speaker, the Indian Government is one of the world's worst human rights abusers in the world. You may ask, well if that's true why doesn't the word know?

Since the 1970's, Amnesty International and other human rights groups have been barred from India. Mr. Speaker, even the Government of Cuba allows Amnesty into their country.

In fact, there are half-million Indian soldiers occupying Punjab, and another half-million troops occupying Kashmir. Since 1947, India has killed over 200,000 christians in Nagaland; 250,000 Siks in Punjab from 1984–1995; and 53,000 Muslims in Kashmir since 1988.

For the last sixteen years, I have been coming to this well to call attention to Punjab, where the Indian military receives cash bounties for the slaughter of innocent children. And to justify their actions, they are labeled ''terrorists.''

According to our own State Department, India paid over 41,000 cash bounties to police for killing innocent people from 1991–1993!

Also in Punjab, Sikhs are picked up in the middle of the night only to be found floating dead in canals with their hands and feet bound together. Some Sikhs are only so fortunate, many are never found after their abduction.

Recently, the India Central Bureau of Investigation (CBI) told the Supreme Court that it had confirmed nearly 1,000 cases of unidentified bodies that were cremated by the military!

And it does not get any better in Kashmir. Women, because of their Muslim beliefs, are taken out of their homes in the middle of the night and are gang-raped while their husbands are forced to watch and wait inside at gunpoint.

It was hoped that the new governments in Delhi and Punjab would stop the repression which the Indian supreme court describes as ''worse than a genocide!''

Mr. Speaker, opponents will say the recent election in Punjab of a Sikh dominated coalition and the fact that an ''untouchable'' is now the President of India is evidence of their democratic progress.

But, I can tell you that this new government in Punjab is closely aligned with the authoritarian BJP Prime Minister Vajpayee of India and India's ''untouchable'' President is merely a figurehead. Mr. Speaker, would democracies continue the rampant campaign of genocide?

On July 22, 1998, Baljit Singh, A Sikh youth of Burj Dhillwan village, died of complications from torture-style brutality inflicted by the Punjab police.

Also in July of 1998, police picked up Kashmira Singh of the village of Khudiah Kalan on the pretext that they were investigating a theft. They then tortured him for 15 days. They rolled logs over his legs until he couldn't walk; they submerged him in a tub of water; and they slashed his thighs with razor blades and stuffed hot peppers into the wounds.

On April 1, 1998, Brother Luke, a Roman Catholic priest was murdered in the eastern state of Bihar. His body was found with a bullet hole through the head. He was a member of Mother Teresa's world-renowned charity organization. This is the fourth priest in 2 years that has been murdered in India.

On October 30, 1997, Reverend A.T. Thomas was found beheaded also in Bihar, apparently killed for aiding the no-caste ''untouchables.'' Amnesty International has linked the Bihar state government to the murder of Rev. Thomas! The Catholic Bishops Conference of India has criticized the government for doing nothing to protect Catholic priests and for failing to prosecute those responsible.

On July 12, 1997, in Bombay, 33 Dalits (black untouchables) were killed by Indian police during demonstrations.

On July 8, 1997, 36 people were killed in a train bombing in Punjab. Two ministers of the Punjab Government have blamed the Punjab police. The bombing occurred a day after 9 policemen were convicted of murder!

On March 5, 1997, a death squad picked up Kashmir Singh, an opposition party member. He was thrown in a van, tortured, and murdered. Finally, his bullet-ridden body was dumped out on the roadside.

These military forces operate beyond the law with complete impunity!

Mr. Speaker, the United States should not support a government that condones widespread abuses with our hard-earned tax dollars! It is time India is held accountable for its continued violation of basic human rights!

The Sikhs, Muslims, Christians, ''untouchables,'' and women of India are desperately looking to this Congress for help. The time has come for action, it is time for America to take a stand!

Considering all this, the President still requested $56.5 million in development assistance for India in fiscal year 1999. That is an increase in almost $1 million over last year.

As everyone is aware, as a result of India's recent nuclear test, the President has imposed a broad range of sanctions on India for violation of section 102(b) of the Arms Export Control Act. Also known as the Nuclear Proliferation Prevention Act of 1994, or more popularly,