

Wade. Kristina Kiehl, a Californian, will celebrate her 50th birthday on Saturday, January 23. Kristina has spent most of those 50 years working to ensure reproductive choice, equality and human rights for all Americans, regardless of race, sex, ethnic background, sexual orientation or, other characteristics irrelevant to merit.

As a founder of Voters for Choice, a national bi-partisan organization dedicated to protecting and expanding reproductive choice for women, Kristina has been a pioneer in protecting the reproductive rights and health of women. With her leadership, Voters for Choice has helped to develop leaders across our country on choice issues; to educate Americans about reproductive issues; and to train advocates for this important work. For 18 years, Voters for Choice has been a superbly effective organization that has led the fight for many women's health issues, in no small part because of Kristina's commitment, dedication, energy and leadership.

Mr. Speaker, I am especially pleased and very proud to honor and recognize the accomplishments of Kristina Kiehl, a national leader who has dedicated her life to improving the health and protecting the reproductive rights of Americans. I urge my colleagues in this House to join me in saluting Kristina Kiehl.

COLLECTIONS OF INFORMATION
ANTIPIRACY ACT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. COBLE. Mr. Speaker, today I am proud to introduce the "Collections of Information Antipiracy Act," a bill to encourage continued investment in the production and distribution of valuable new collections of information.

Electronic collections, and other collections of factual material, are absolutely indispensable to the American economy on the verge of the new century. These information products put a wealth of data at the fingertips of business people, professionals, scientists, scholars, and consumers, and enable them to retrieve from this haystack of information the specific factual needle that they need to solve a particular economic, research, or educational problem. Whether they focus on financial, scientific, legal, medical, bibliographic, news, or other information, collections of information are essential tools for improving productivity, advancing education and training, and creating a more informed citizenry. They are also the linchpins of a dynamic commercial information industry in the United States.

Developing, compiling, distributing, and maintaining commercially significant collections requires substantial investments of time, personnel, and money. Information companies must dedicate massive resources when gathering and verifying factual material, presenting it in a user-friendly way, and keeping it current and useful to customers. U.S. firms have been the world leaders in this field. They have brought to market a wide range of valuable collections of information that meet the information needs of businesses, professionals, researchers, and consumers worldwide. But several recent legal and technological developments threaten to cast a pall over this

progress, by eroding the incentives for the continued investment needed to maintain and build upon the U.S. lead in world markets for electronic information resources.

Producers are also concerned that several recent cases may also cast doubt on the ability of a proprietor to use contractual provisions to protect itself against unfair competition from such "free riders." In cyberspace, technological developments represent a threat as well as an opportunity for collections of information, just as for other kinds of works. Copying factual material from another's proprietary collection, and rearranging it to form a competing information production—just the kind of behaviors that copyright protection may not effectively prevent—is cheaper and easier than ever through digital technology that is now in widespread use. More and more we are seeing actual instances where American companies fall victim to such piracy, or where they refrain from placing complete collections into the public discourse, for fear of piracy.

When all these factors are added together, the bottom line is clear: it is time to consider new federal legislation to protect developers who place their materials in interstate commerce against piracy and unfair competition, and thus encourage continued investment in the production and distribution of valuable commercial collections of information.

While copyright, on the federal level, and state contract law underlying licensing agreements remain essential tools for protecting the enormous investment in collections of information, there are gaps in the protection that can best be filled by a new federal statute which will complement copyright law. The "Collections of Information Antipiracy Act" would prohibit the misappropriation of valuable commercial collections of information by unscrupulous competitors who grab data collected by others, repackage it, and market a product that threatens competitive injury to the original collection. This new federal protection is modeled in part on the Lanham Act, which already makes similar kinds of unfair competition a civil wrong under federal law. Importantly, this bill maintains existing protections for collections of information afforded by copyright and contract rights. It is intended to supplement these legal rights, not replace them.

Throughout the last session of Congress, we worked countless hours trying to fashion a bill that would be acceptable to all interested parties. Some would like to see stronger protections, while others advocate no legislation at all. I promise once again to listen to every constructive suggestion, and use every effort to craft a solution which bridges the producer and user communities. But I am committed to seeing this valuable legislation become law.

While this bill is almost identical to the legislation which passed the House of Representatives last Congress, I have made changes to clarify and embody fair use, and to address the issue of perpetual protection. These two changes address key concerns voiced by the nonprofit scientific, educational, and research communities during our consideration last term.

During the last Congress, we were able to pass the legislation through the House of Representatives not once, but twice. I look forward to working with Senator ORRIN HATCH and Senator PATRICK LEAHY, who have indicated this necessary legislation will be a priority for them this legislative session. I also welcome

the input of Representative HOWARD BERMAN, the new Ranking Member of the Subcommittee, as this legislation moves forward.

The Collections of Information Antipiracy Act is a balanced proposal. It is aimed at actual or threatened competitive injury from misappropriation of collections of information or their contents, not at uses which do not affect marketability or competitiveness. The goal is to stimulate the creation of even more collections, and to encourage even more competition among them. The bill avoids conferring any monopoly on facts, or taking any other steps that might be inconsistent with these goals.

This legislation provides the basis for legislative activity on an important and complex subject. I look forward to hearing the suggestions and reactions of interested parties, and of my colleagues.

THE RETURN OF THE "LINCOLN
BANNER" TO NORWICH, CON-
NECTICUT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GEJDENSON. Mr. Speaker, I rise to commemorate a momentous event in the history of Norwich, Connecticut. On January 22, 1999, the fully-restored "Lincoln Banner" will be unveiled. The story surrounding the discovery and restoration of this 138 year old artifact is a testament to the spirit of volunteerism and pride in our history which have long distinguished Americans.

The "Lincoln Banner" is so named because it depicts Abraham Lincoln, without his beard, at approximately age 51 on a 6 by 8 foot silk banner. A portrait of Lincoln graces the center of the banner and is surrounded by the following inscription—"In hoc signo Vincemus. Ubi Libertas, Ibi Patria"—which roughly translates to "In this sign we are victorious. One for liberty under the fatherland." "Norwich" is inscribed in capital letters across the bottom.

The origins and exact use of the banner are known conclusively only to history herself. However, most in Norwich believe it was produced for Lincoln's presidential campaign and displayed during his visit to the community on March 9, 1860. Mr. Lincoln did not come to Norwich seeking support for his election. Instead, he came to help a fellow Republican—Governor William Buckingham—who was seeking reelection. Local historians believe the banner hung outside the Wauregan Hotel where Lincoln stayed.

Following Mr. Lincoln's visit, the banner essentially vanished for more than 135 years. Then, in 1997, officials in Norwich received a telephone call from an auction house in my state indicating that it had recently been contacted by an individual who wished to sell the banner. A spontaneous, grassroots effort, initiated by John Marasco, a city employee, who went on local radio station WICH with personality Johnny London to urge listeners to contribute, raised nearly \$41,000 from residents, businesses and others in the community. As a result of this tremendous amount of support, the City was able to purchase the banner and bring it back to its rightful home.