

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