

for databases, just as for other kinds of works. Copying factual material from a database, and rearranging it to form a competing information product—just the kind of behavior that copyright protection may not effectively prevent—is cheaper and easier than ever, through digital technology that is now in widespread use.

When all these factors are added together, the bottom line is clear: it is time to consider new federal legislation to protect database developers against piracy and unfair competition, and thus encourage continued investment in the production and distribution of valuable commercial databases. Such legislation could improve the market climate for databases in the United States; ensure protection for U.S. databases abroad on an equitable basis; place the United States on the leading edge of an emerging international consensus; and provide a balanced and measured response to the new challenges of cyberspace. The bill I introduce today aims to advance these goals.

While copyright, on the Federal level, and the State contract law underlying licensing agreements, remain essential tools for protecting the enormous investment in databases from the threat of unfair competition, there are gaps in the protection that can best be filled by a new Federal statute. The Database Investment and Intellectual Property Antipiracy Act would prohibit the misappropriation of valuable commercial databases by unscrupulous competitors who grab data collected by others, repackaging it, and market a product that threatens competitive injury to the original database. 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. It also draws on some of the positive elements of the European directive, and is intended to be fully consistent with the draft international treaty language being put forward by our negotiators in Geneva. Importantly, this bill maintains existing protections for databases afforded by copyright and contract rights. It is intended to supplement these legal rights, not replace them.

The Database Investment and Intellectual Property Antipiracy Act is a balanced proposal. It is aimed at actual or threatened competitive injury from misappropriation of databases or their contents, not at non-competitive uses. The bill contains specific exemptions for use of insubstantial portions of databases for any purpose. The bill specifically allows innovators to create their own databases independently, as a result of their own work and investment, as opposed to "free riding" on the work and investment of others. Our goal is to stimulate the creation of even more databases, 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.

Some sections of this bill are modeled closely on the non-copyright provisions of H.R. 2441, the NII Copyright Protection Act of 1995, as introduced last fall. As these provisions in the NII legislation are refined and improved in the legislative process, I anticipate that conforming changes would be made to the corresponding provisions of the Database Investment and Intellectual Property Antipiracy Act as well.

This legislation provides the starting point for legislative activity on an important and complex subject. I look forward to hearing the

suggestions and reactions for interested parties, and of my colleagues, in the near future, and to working with the Administration to strengthen protections for U.S. databases both at home and around the world.

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TRIBUTE TO RUTH NUSSBAUM

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. BERMAN. Mr. Speaker, I am honored today to pay tribute to my good friend Ruth Nussbaum, who was a fervent supporter of Israel even before the founding of the country in 1948. She has worked tirelessly and dedicated much of her life to Israel and the Jewish people. Ruth is a dear friend of my uncle, Jack Shapiro and I have often heard him speak of her with great affection and respect. Jack and his late wife, my aunt Dora had tremendous admiration for the work done by Ruth and her late husband, Rabbi Max Nussbaum.

Born in Berlin, Ruth and her family emigrated to the United States from Germany in 1940, as Hitler's plans for the Jews became clear. They settled first in Oklahoma, where Max was rabbi at Temple Beth Ahava, and then moved to Los Angeles in September 1942. Soon after arriving in Los Angeles Max became rabbi at Temple Israel of Hollywood, and Ruth settled into a lifetime of activism.

From her first year in America, she enlisted in efforts to save European Jews from the Nazis. Her goal was getting the Jews to Palestine. After World War II, she became involved in the movement to lift immigration limitations in Palestine, and the establishment of Israel as an independent nation.

Following the death of Rabbi Nussbaum in 1974, Ruth increased her activities on behalf of Israel. She served for many years as Zionist affairs and program chair for the Los Angeles Chapter of Hadassah, and was chair of Israel Bonds' Women's Division and Advisory Council. In 1977 she was a founding member of the Association of Reform Zionists of America [ARZA], the Zionist affiliate of the Union of American Hebrew Congregations.

Ruth has visited Israel at least 20 times, attending missions, serving as a delegate to the World Zionist Congress and visiting her nieces and nephews. In this way she combines love for her family with love for her people.

I ask my colleagues to join me today in honoring Ruth Nussbaum, a woman whose selflessness and dedication is a shining example for us all. I am proud to be her friend.

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THE HONORABLE SID YATES AT  
THE DAYS OF REMEMBRANCE  
CEREMONY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. LANTOS. Mr. Speaker, on April 16, Members of Congress, members of the Diplomatic Corps and hundreds of survivors of the Holocaust and their friends gathered here in the Capitol Rotunda for the National Days of Remembrance commemoration. The United

States Holocaust Memorial Council was established by Congress to preserve the memory of the victims of the Holocaust. I commend the Council and the members of the Days of Remembrance Committee, chaired by my good friend Benjamin Meed, for their vigilant and genuine adherence to their extraordinarily important task.

One of the first acts of the Council was to establish the annual Days of Remembrance commemoration to mirror similar observances held in Israel and throughout our nation and elsewhere in the world. This year, the commemoration centered on the 50th anniversary of the Nuremberg trials. The observance was a reminder of the difficult process of first coping and then healing that all survivors and their families and loved ones had to endure.

Our senior colleague, SID YATES, who himself served with distinction in the Navy in World War II, delivered a very poignant speech at the ceremony. I was so moved by his powerful speech that I invite my colleagues to take a moment to read his remarks.

THE DAYS OF REMEMBRANCE CANDLE LIGHTING  
CEREMONY

(By Sidney R. Yates)

"The first to perish were the children," said poet Yitzshak Katzenelson, himself a victim of the Nazis, and a witness to their destruction.

French author, Francois Mauriac who lived in occupied France said: "Nothing I have seen during these somber years left so deep a mark upon me as those hundreds, of Jewish children standing in Austerlitz station."

15,000 children were sent to Terezin concentration camp. Only 100 survived. Jiri Weil writes of these children: "Only the drawings and the poems—that is all that is left of these children, for their ashes have long since sifted across the fields around Auschwitz."

How could any person—kill innocent children—not 1 or 20 or 100—but 1.5 million children were exterminated by the Nazis.

We cannot forget the insane butchery of our young. We mourn for them—for their mothers and fathers and brothers and sisters—and we mourn for ourselves, for having lost them.

Today as we light the candles we will honor members of the staff who prosecuted the German leaders at The Nuremberg Trials for crimes unprecedented in human history. Unprecedented, yes, and also unspeakable.

As these candles are lighted we remember the victims of Nazi viciousness.

As we light these candles we will be remembering the children whose lives were snuffed out.

There is no punishment adequate for the crimes against the children. There is only our memory to keep them alive—forever.

We will Remember the Children.

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ABERCROMBIE GUILD OF CHRIST  
HOSPITAL HONORED FOR 120  
YEARS OF CONTINUOUS SERVICE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to the Abercrombie Guild of Christ Hospital for 120 years of service to the residents of Jersey City. A special ceremony to celebrate the guild's accomplishments will be held at the Liberty Science Center on May 23, 1996.

Formerly called the ladies' Hospital Guild, the organization we honor today was formed in 1874 by a group of 20 women. They began by making clothing for the sick children in the hospital. As the needs of the hospital changed, so did the guild. In 1887, the daisy ward, a pediatrics ward, was established in the hospital. Since then, the guild has devoted much of its time and efforts to creating a comfortable environment for the children in this ward. Through the years, the guild has strived to make the lives of the patients and the hospital community a little better.

The guild was incorporated and named after one of the founders and presidents of Christ Hospital, Rev. Richard Mason Abercrombie. As a corporation, the guild is devoted to securing money and supplies for the hospital with special care given to the children's ward, of which Christ Hospital is particularly proud. The funds donated and bequeathed to the guild greatly benefit these children. The moneys are used to provide the children with the medical attention needed.

The Guild also provides a number of other valuable services, including a monthly news letter known as the Daisy and a burial fund that is administered by the burial committee. The burial fund provides a final resting place for impoverished patients who have died in the hospital. In addition, the chapel committee, which provides Holy Communion and other religious services, and the sewing committee, which provides made and mended clothing, are the most commonly known features of the guild.

I ask my colleagues to rise and join me in honoring the Abercrombie Guild. The services and help the guild has provided the children and patients of Christ Hospital are truly extraordinary.

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#### HONORING GRATIOT PARK UNITED METHODIST CHURCH

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 1996*

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to the men and women of the Gratiot Park United Methodist Church in Port Huron, MI. This Sunday, I and many others from Michigan's Bluewater area will gather at the church to dedicate a marker celebrating the importance of that structure in the history of our community and our State.

The origins of the Gratiot Park United Methodist congregation can be traced back to the time of the construction of Fort Gratiot in 1814, and the early days of the church are tied to the growth of the fort.

Records of the time show that circuit riders regularly traveled through the wilderness to preach at Fort Gratiot. Accounts also indicate that the early congregation survived a devastating cholera outbreak in 1832 that nearly wiped out the entire territory.

In 1859, the Reverend A.E. Ketchum established a Methodist class at the Fort Gratiot Mission. Brothers ventured to remote areas of Michigan seeking new members for the community.

The site of today's Gratiot Park United Methodist Church was first surveyed in 1834, and changed ownership several times before

being purchased in trust for the church in July 1866.

In 1968, the church was formally renamed the Gratiot Park United Methodist Church.

The Bluewater area is far different today than it was in the times of Fort Gratiot. Where once pioneers struggled to settle the land, today Port Huron is a thriving city and a growing center of commerce. But despite decades of change, the Gratiot Park United Methodist Church still stands as a part of our community and part of the lives of our people.

It has seen the deep divisions created by the Civil War and witnessed the inventions of Thomas Edison.

It has stood through the dawn of the Grant Trunk Railroad and the boom of the shipping and lumber industries and the growth of Port Huron.

And through it all, the church and its congregation have stood as a source of strength and fellowship for the people of our area.

Mr. Speaker, the marker that the Michigan Historical Center has affixed to this structure is a fitting tribute to the Gratiot Park United Methodist Church and a source of great pride for the entire Port Huron community.

I hope that my colleagues will join me in recognizing this important designation.

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#### PERSONAL EXPLANATION

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 1996*

Mr. ENGEL. Mr. Speaker, I was unavoidably absent from rollcall vote 191 due to emergency dental work. Had I been present, I would have voted in the affirmative.

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#### SMALL BUSINESS JOB PROTECTION ACT OF 1996

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 1996*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to speak in support of H.R. 3448 and to not only lend my support for it, but to also discuss how this legislation is a textbook example of opportunity missed. Mr. Speaker, while this bill makes several important changes to the current law in areas such as pensions, equipment investment, and educational tax-deductions, there are other changes not included which could have made it much better legislation and much better for the American people.

One of the most important issues this bill addresses is that of employee pensions. Under this legislation, employees of tax-exempt organizations, will for the first time, be eligible for 401(k) plans. In addition, firms with less than 100 workers would be permitted to set aside pension funds for workers without satisfying many of the complex reporting standards they must now meet for contributions to 401(k) plans. Finally, Mr. Speaker, this bill addresses the needs of union workers such as construction workers who frequently change jobs. This legislation corrects prob-

lems for small businesses and their employees which are long overdue. Now, those who were previously unable to take advantage of retirement options solely due to their occupation can now.

Mr. Speaker, this bill also provides tax incentives for businesses to hire employees on welfare, high-risk youth, qualified veterans or qualified summer youth employees. I have spoken a great deal on this floor about summer jobs and while I am extremely opposed to Republican efforts to eliminate the Summer Jobs Program, I am pleased that this provision was included. I am gratified to see that the majority party recognizes the fact that these populations sometimes need assistance in obtaining work and I believe that the work opportunity tax credit is one more method by which we can give honest people a chance at a job.

While these are good initiatives, this bill does not go far enough. The legislation will allow individuals to deduct up to \$5,250 per year for employer-provided educational assistance for undergraduate tuition, but what about graduate education? Do not people who pursue advanced degrees deserve the same opportunity? This indeed seems like a case of education bigotry. During committee markup of this bill, my Democratic colleague, Mr. LEVIN tried to address this issue with an amendment to include graduate education. After initially agreeing to the amendment, the Republican Members changed their vote to defeat it.

Also missing from this bill are pension provisions contained within the Gephardt-Daschle proposal which would improve the bill even further by allowing penalty-free IRA withdrawals for education and training, first home purchases, major medical expenses, and during long-term unemployment.

Mr. Chairman, this bill is good and I support it, but it could be and deserves to be better than it is.

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#### SMALL BUSINESS PERSON OF THE YEAR

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 1996*

Mr. STUPAK. Mr. Speaker, it is an honor for me to bring to the attention of this body and the nation an individual who has truly made a difference in his local area and who, along the way, has helped so many others. Mr. Paul R. Argall, President of PCBM Management Company, Inc., in Ishpeming, Michigan began with a dream, a goal, an idea and has molded that into one of the most successful business operations in the Upper Peninsula of Michigan. For his efforts, Mr. Argall has been named Michigan Small Business Person of the Year by the United States Small Business Administration, a honor well deserved.

Mr. Argall first distinguished himself as a Certified Public Accountant, opening his own firm in 1978. Realizing that his home town of Ishpeming, like other small communities in the Upper Peninsula, was on an economic decline, Paul moved forward in 1984 by establishing PCBM Management Company that formed the foundation for a dream that he believed would not just provide jobs for so many local residents, but would be the primary source of economic development for the area.