

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 rec-

ommend 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 I 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