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century. He will always be remembered as a distinguished public servant, having always used his keen intellect and common sense to attack complex social problems. For this, Mr. Speaker, the entire country will mourn Robert Weaver's passing, but we will also celebrate his extraordinary life.

THE NO ELECTRONIC THEFT [NET] ACT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1997

Mr. COBLE. Mr. Speaker, I am pleased to be an original cosponsor of the No Electronic Theft Act, also known as the NET Act. I commend the bill's author and my good friend, Representative BOB GOODLATTE of Virginia, for his leadership on this important copyright issue. As chairman of the Subcommittee on Courts and Intellectual Property, I cannot overemphasize the importance of this legislation; in fact, I plan to schedule a hearing on the NET Act and the broader subject of copyright piracy later in the fall.

Industry groups estimate that counterfeiting and piracy of intellectual property—especially computer software, compact discs, and movies—cost the affected copyright holders roughly $20 billion last year. Regrettably, the problem has great potential to worsen. The advent of digital video discs, similar to conventional compact discs but capable of storing far more material while rendering perfect secondhand copies, will only create additional incentive for copyright thieves to steal protected works.

The legislation introduced by Representative GOODLATTE will deter copyright piracy by further criminalizing the act in a firm but fair manner. The NET Act constitutes a legislative response to the so-called LaMacchia case, a 1994 decision authored by a Massachusetts Federal court. In LaMacchia, the defendant encouraged lawful purchasers of copyrighted software and computer games to upload these works via a special password to an electronic bulletin board on the Internet. The defendant then transferred the works to another electronic address and encouraged others with access to a second password to download the materials for personal use without authorization by or compensation to the copyright owners. While critical of the defendant's behavior, the court precluded his prosecution under a Federal wiretap statute, stating that this area of law was never intended to cover copyright infringement. The court's dicta indicated that Congress has tread cautiously and deliberately in amending the Copyright Act, especially when devising criminal penalties for infringement.

It is self-evident, Mr. Speaker, that this transgression—the unauthorized access to a company's products—has even greater potential to ruin small, start-up companies. Let us not forget that small businesses still comprise that sector of our national economy which provides the most employment opportunities for American citizens. Thousands of independent hackers motivated like LaMacchia will cause harm to our Nation's workers and the small businesses which employ them. LaMacchia's behavior was not trivial; it deserves to be criminalized.

Accordingly, the NET Act would proscribe the willful act of copyright infringement, either for "commercial advantage or private financial gain"; or by reproducing or distributing one or more copies of copyrighted works which have a retail value of $5,000 or more. In direct response to LaMacchia, the legislation specifically encompasses acts of reproduction or distribution that occur via transmission, or computer theft. In addition, "financial gain" is defined as receiving "anything of value, including the receipt of other copyrighted works." This change would enable the Department of Justice to pursue a LaMacchia-like defendant who steals copyrighted works but gives them away—instead of selling them—to others. The legislation includes maximum statutory penalties of up to $250,000 in fines and prison terms of 6 years.

Mr. Speaker, the public must come to understand that intellectual property rights, while abstract and arcane, are no less deserving of protection than personal or real property rights. The intellectual property community will continue its work in educating the public about these concerns, but we in the Congress must do our job as well by ensuring that piracy of copyrighted works will be treated with an appropriate level of fair but serious disapproval. Again, I congratulate Representative GOODLATTE for his leadership in this regard, and I look forward to working with him and other interested colleagues as we consider the NET Act in the near future.

A TRIBUTE TO WILLIAM SHAW

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1997

Mr. FARR of California. Mr. Speaker, I rise today to pay tribute to a dear friend and a real talent. William Shaw, who helped shape the world around him for most of his 73 years, passed away recently. I know he will be sorely missed by all.

To me and my family, Will will be remembered as an especially close friend. Together with my father, former California State Senator Fred Farr, and the renowned photographer Ansel Adams, he established the Foundation for Environmental Design in the early 1960's. "We have art critics, music critics, theater critics, but we don't have any environmental critics. We need them badly, and I guess that's what you call us," Will is quoted as remarking in press reports at the time.

Indeed, a superb environmentalist and architect, Will is responsible for some of the most beautiful manmade scenery our Nation has. The recipient of the renowned Prix de Rome, Will's portfolio includes the school or architecture at Cal Poly in San Luis Obispo as well as the Buddhist Temple in Seaside and the restoration of the Highlands Inn and the Custom House. He was an outstanding member of his community and country.

Born William Vaughn Shaw in Los Angeles on August 12, 1924, Will had lived in Monterey since 1954, and for the past 13 years in Pebble Beach. He was cofounder and past president of the Big Sur Foundation as well as the local chapter of the American Institute of Architects. In addition, Will was past president of the Monterey History and Art Association and the Community Foundation of Monterey County.

During this difficult hour, Mr. Speaker, my entire family wishes his wife, Mary, and half-brother, Steven the very best. Will will always remain in our hearts.

TRIBUTE TO YALTA DUNBAR

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1997

Mr. MCINNIS. Mr. Speaker, today I would like to recognize Yalta Dunbar of Gunnison, CO, who will turn 100 on August 9 of this year. Ms. Dunbar has been a longtime resident of Gunnison and her knowledge and experience is a source of wisdom and guidance for all those around her. Her loving family will be putting on a celebration in her honor which will be held at the Elks Club in Gunnison.

Mr. Speaker, I would like to thank Ms. Dunbar for the many years of service she has provided to her community and hope she serves as an inspiration to all of us.

Ms. Dunbar is the embodiment of hard work and healthy living which we pride ourselves on the western slope of Colorado. I wish her the very best on this special day and congratulate her on 100 fantastic years.

RECOGNITION OF ELDERLY NUTRITION PROGRAMS

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1997

Mr. WEYGAND. Mr. Speaker, elderly nutrition programs are crucial to the senior citizens in the State of Rhode Island and throughout our country. These programs, either at meal sites or through home delivery, serve many important roles. In addition to providing meal recipients with a balanced meal, these nutrition programs often offer seniors the chance to socialize with their peers and provides them with much-needed personal contact with caring and dedicated volunteers of all ages.

Annually, in my State of Rhode Island, nearly 17,000 seniors receive healthy, balanced, and nutritious lunches at 1 of the 72 local meal sites spread throughout the State. Over 5,000 seniors also receive meal assistance from the home delivery program, operated in Rhode Island by Rhode Island Meals on Wheels.

One woman, who lives in my district in Warwick, RI, recently shared with me her feelings on the importance of one of these elderly nutrition programs. Virginia, who will be 80 years old this month, receives a meal from Meals on Wheels and feels that it is one of the finest services around.

She recently wrote to me saying:

I depend on and must have well-balanced food. The lunches I receive from the Meals on Wheels Program enable me to eat nutritiously and have given me a way to recover from my recent surgery.

The volunteers who deliver the luncheons are so kind, friendly and the hour I hear them in their van and my doorbell rings, it

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