

the highest award Boy Scouts Councils may grant to a volunteer. John is the Military and Veterans Affairs Liaison in my Irving, Texas, office.

John's devotion to the Boy Scouts of America through the years makes him well-deserving of this award. He is a District Commissioner in the Circle Ten Council and, with his wife, Mary, chaired the Circle Ten Council POW WOW for 2 years. He has also taught POW WOW at the Boy Scouts' Philmont, New Mexico, Training Center for 4 years.

A former Air Force combat pilot, he currently serves as the Senior Vice Commander of the Dallas Chapter of the Military Order of The World Wars. John is also very active in the Dallas Veterans Foundation. He will be a chairman for the Military Order of the World Wars sponsored Youth Leadership Conference in June in Fort Worth, Texas. The conference provides leadership and patriotic training for high school students.

I congratulate John on this high honor from the Boy Scouts. This country thanks him for his dedicated service—both in the military and with the Boy Scouts of America. The 24th District of Texas benefits from having a man with such valuable experience and strong allegiance to his country serve them in my congressional office.

INTRODUCTION OF THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT REAUTHORIZATION ACT OF 2006

HON. WAYNE T. GILCREST

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2006

Mr. GILCREST. Mr. Speaker, today, along with my distinguished colleagues, Representatives EHLERS, BARTLETT, LEACH, FARR, CASTLE, and SHAYS, I am introducing legislation to reauthorize the Magnuson-Stevens Fishery Conservation and Management Act, which provides the U.S. with authority to manage fisheries in U.S. waters. Our bill would enact critical updates to our current national fishery policy management that will ensure sustainable fisheries well into the future. I urge my colleagues to join us in cosponsoring H.R. 5051.

Both nationally and globally, our fishery resources are stretched to meet increasing demand—Americans alone now consume over 4 billion pounds of seafood annually. Fishery management has improved greatly since the enactment of the Sustainable Fisheries Act in 1996. Yet too often, we continue to experience overfishing and overcapacity—too many boats and too few fish—throughout our Nation's oceans—a situation that is not sustainable over time. In national policy, we must make the sustainable harvest of our living marine resources and the ecosystems on which they depend our highest priority.

I commend Chairman POMBO, Mr. FRANK, and Mr. YOUNG for their introduction of a comprehensive Magnuson-Stevens reauthorization bill, and I believe its close alignment with S. 2012 is a solid step forward in improving the health of our Nation's fisheries. However, I believe recent advances in marine science and a greater understanding of our complex ocean ecosystems can help shape an even stronger bill. Our bill proposes to move fisheries man-

agement in a positive step toward ecosystem management, incorporating our vastly increased scientific understanding of ocean ecosystems and the rapidly developing body of experience in this approach gained by the Regional Fishery Management Councils in projects around the Nation. It would require the administration to develop comprehensive guidelines, with the councils, to support the drafting of Fishery Ecosystem Plans. Science on ecosystems is very advanced, to the extent that over 200 scientists signed on to a scientific consensus statement on ecosystem management organized by the Communication Partnership for Science and the Sea (COMPASS) on March 21, 2005.

For stocks that are designated as overfished, our bill proposes to require overfishing to end by a date certain. Currently, and as a result of a ruling by a Federal district court which held that overfishing could occur during the rebuilding of the stock, overfishing is a continuing problem for stocks in many parts of the Nation. Out of 175 stocks in the Nation about which the status is known, 53 are overfished. Rebuilding time frames for some species have reached over 40 years in length, during which overfishing may continue under current law. However, the administration supports ending overfishing by a date certain, well within a time in which Regional Fishery Management Councils could act, so that rebuilding time frames become less contentious. The Pombo-Young-Frank bill extends the rebuilding time frame for fisheries from the current 10 year limit under a wide range of circumstances, but does not address overfishing at all. This approach takes us backward, not forward in ensuring sustainable use of our fisheries.

The National Environmental Policy Act (NEPA) is very controversial, as my colleagues know. The Senate, in its Magnuson-Stevens reauthorization bill, requires the administration to work between the National Oceanic and Atmospheric Administration and the White House Council on Environmental Quality to better integrate the process required by NEPA and the process required by Magnuson-Stevens for its Fishery Management Plan process. Given that the Resources Committee has held only one hearing on this issue, I believe this is the best approach. Providing the Secretary of NOAA with the authority to waive NEPA for Fishery Management Plans, as the Pombo-Young-Frank bill proposes, is too broad to capture potential pitfalls about which we are only beginning to understand.

Finally, the most important aspect of fishery management is the containment of annual harvest limits within boundaries that support sustainability of fishery stocks. The number of overfished stocks demonstrates our failure to achieve this important limit. The Senate has been engaged in a productive negotiation over this issue—how to establish accountability for the administration and the Councils and to support stronger science in setting and achieving such limits. The Pombo-Young-Frank bill does include many provisions to strengthen the state of fishery management science and the use of science in management decisions, but does not address the need to ensure that fisheries are not stretched beyond the scientifically established limits it provides. While I believe neither the House nor the Senate has achieved consensus on this issue, our bill includes such accountability.

It is our intention to constructively contribute to the coming debate in the House over national ocean fishery management by stressing policy to strengthen the conservation of ocean fish resources while supporting the extraordinary efforts of our administration and Regional Fishery Management Councils. I urge my colleagues to cosponsor H.R. 5051 and join us in this critical policy debate.

INTRODUCTION OF THE DESIGN PIRACY PROHIBITION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2006

Mr. GOODLATTE. Mr. Speaker, I rise to introduce the Design Piracy Prohibition Act.

Article I section 8 of our Constitution lays the framework for our Nation's copyright laws. It grants Congress the power to award inventors and creators, for limited amounts of time, exclusive rights to their inventions and works. The Founding Fathers realized that this type of incentive was crucial to ensure that America would become the world's leader in innovation and creativity. This truth is still applicable today. We must be sure to continue to reward our innovators with the exclusive rights to their works for limited periods of time. This incentive is still necessary to maintain America's position as the world leader in innovation.

Most industrialized nations provide legal protection for fashion designs. However, in the United States—the world's leader in innovation and creativity—fashion designs are not protected by traditional intellectual property protections. Copyrights are not granted to apparel because articles of clothing, which are both creative and functional, are considered "useful articles," as opposed to works of art. Design patents are intended to protect ornamental designs, but clothing rarely meets the criteria of patentability. Trademarks only protect brand names and logos, not the clothing itself, and the Supreme Court has refused to extend trade dress protection to apparel designs.

Thus, if a thief steals a creator's design, reproduces and sells that article of clothing, and attaches a fake label to the garment to market it, he would be violating Federal law. However under current law it is perfectly legal for that same thief to steal that same design, reproduce and sell the article of clothing if he does not attach a fake label to it. This loophole allows pirates to cash in on others' efforts and prevents designers in our country from reaping a fair return on their creative investments.

Furthermore, the production life cycle for fashion designs is very short. Once a particular design gains popularity through a fashion show or other event, a designer usually has only a limited number of months to effectively produce and market that original design. Further complicating this short-term cycle is the fact that once a design is made public, pirates can now virtually immediately offer an identical knock-off piece on the Internet for distribution. Again, under current law this theft is legal unless the thief also reproduces a label or trademark. Because these knock-offs are of such poor quality, these reproductions not only take away designer's profits, but also damage the designer's reputation.

Chapter 13 of the Copyright Act offers protection for the designs of vessel hulls. The Design Piracy Prohibition Act protects designers

by amending Chapter 13 of the Copyright Act to also include protections for fashion designs. Because the production life cycle for fashion designs is very short, this legislation similarly provides a tailored period of protection that suits the industry—3 years. This legislation further establishes damages for infringing a fashion design at the greater of \$250,000 or \$5 per copy.

As America's fashion design industry continues to grow, America's designers deserve and need the type of legal protections that are already available in other countries. The Design Piracy Prohibition Act establishes these protections, and I urge my colleagues to support this important legislation.

CONGRATULATIONS TO DAVID
WHETSTONE ON THE OCCASION
OF HIS RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2006

Mr. BONNER. Mr. Speaker, it is with great pride and real pleasure that I rise today to pay tribute to a longtime friend and a lifetime public servant, John David Whetstone, on the occasion of his retirement after serving as Baldwin County District Attorney for nearly 22 years.

David Whetstone is the consummate professional. Joining the district attorney's office in 1979 as an assistant DA, David has dedicated practically all of his adult life fighting crime and standing up for the people of Baldwin County as the people's attorney. Moreover, he has served the families of Baldwin County and south Alabama with compassion, dedication and a tremendous level of professionalism.

A 1963 graduate of Greenville High School, David went on to serve in the United States Air Force during the Vietnam war era. He was honorably discharged as a sergeant in 1968, and he worked his way through college and law school using the G.I. Bill. David graduated from the University of West Florida in 1970, and from the University of Alabama School of Law in 1973.

In 1984, then-Governor George C. Wallace nominated David to the position of Baldwin County District Attorney. He was subsequently elected to his first 6-year term in 1986 and has been reelected ever since, usually with only token opposition.

Throughout his tenure, David has been a tireless advocate on behalf of all the people of Baldwin County. No one who ever called on David Whetstone didn't get a prompt, personal response.

David Whetstone is known for his powerful and intimidating presence in the courtroom and probably best known for his storytelling. Many will also remember his appearance on "The Phil Donahue Show" after filing more than 200 child support collection complaints in 1 day.

But outside of the spotlight that comes with his office, David has a heart as big as the State of Alabama and as pure as a pound of gold.

He is the type of person that empathizes with people from all walks of life and has a tremendous, caring capacity for those who are less fortunate. David Whetstone wore his title

as the "people's attorney" with pride and he never, ever let his own success in public life go to his head or prejudice his judgment; for David, doing the right thing was the only way to do business.

Mr. Speaker, in 2002, David offered his considerable talents and service to the people of south Alabama when he ran for the Republican nomination for U.S. Congress. While for obvious reasons I am personally grateful that the outcome turned out as it did, I can say with all honesty and candor that had the voters rendered a different judgment, the people of south Alabama would have been well-served by David's passion for public service and by his drive and determination to represent one and all equally.

Mr. Speaker, at this time, I ask my colleagues to join me today in recognizing John David Whetstone for his tireless efforts and his tremendous contributions to the citizens of the First Congressional District and the entire State of Alabama.

The experience and enthusiasm he brought to his job and the concern and compassion he displayed for all people in Baldwin County are unquestioned and unparalleled. He has indeed been a genuine asset to the entire State of Alabama. On behalf of the thousands of men, women and children he has assisted over the past two decades, I am proud to say, "Thank you, David, for a job well done."

While I am confident David will continue to remain actively involved in the life of Baldwin County and southern Alabama for many years to come, I hope this new chapter in his life affords him a few more free minutes each day to enjoy the richness of life and the love of his wonderful wife, Lynne, as well as his fine children, Deborah, J.D. and Chris, and the newest Whetstone, grandson John David III.

On behalf of all his friends and admirers throughout Alabama, I wish to extend to David and his family all the best, now and in the future.

VIETNAM VETERANS MEMORIAL
VISITOR CENTER ENFORCEMENT
ACT

SPEECH OF

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2006

Mr. WELLER. Mr. Speaker, we owe our veterans a great debt of gratitude. Their sacrifices have protected the democratic ideals that are the foundation of our country, and their heroism continues to be an example for all Americans.

That is why I rise today to express my strong support of H.R. 4882, Vietnam Veterans Memorial Visitor Center Deadline Enforcement Act. This bill would ensure the proper remembrance of Vietnam veterans and the Vietnam War by designating a site for a visitor center for the Vietnam Veterans Memorial.

I voted "no" by accident on this important bill yesterday, but strongly support it and intended to vote "yes."

Further, I praise Chairman POMBO for his leadership on this issue, and congratulate him on the overwhelming support he received yesterday on passage of the Act.

As this valuable bill has not passed the Senate yet, I encourage them to take it up as soon as possible and pass it without delay.

For the record, I have been a long time supporter of our Nation's veterans and will continue to support them in their causes and needs.

In fact, I have introduced legislation that would further honor them, H.R. 995, the Combat Military Medically Retired Veterans Act, which allows combat military medically retired veterans who received the Purple Heart to collect their prorated military retirement pay.

Many of these veterans served in the Vietnam War, and gave their all for us and should not be penalized just because they are receiving compensation from the VA. While many disabled veterans go on to enjoy happy, productive lives, many are unable to due to the severity of their wounds.

Under any doctrine of fairness it is our moral obligation to "care for him who shall have borne the battle." This bill is a good step in correcting the inequity of retirement and disability benefit to our combat disabled veterans.

Again, let me express my support for the Vietnam Veterans Memorial Visitor Center Deadline Enforcement Act and my gratitude for Chairman POMBO's leadership for our Nation's veterans.

TRIBUTE TO THE AMERICAN RED
CROSS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2006

Mr. MORAN of Kansas. Mr. Speaker, I rise today to recognize March as American Red Cross month. This faithful organization strives each day to carry out their motto, "There when you need us." On behalf of a grateful nation, I thank the Red Cross for their important service to those individuals in need.

This month we recognize the vital role played by this organization in communities across our Nation and abroad. Since its founding in 1881 by Clara Barton, this organization has been committed to serving America in peace and in war, during times of natural disaster and national calamity. In 1905, this organization was chartered by Congress "in accord with the military authorities as a medium of communication between the people of the United States and their armed forces." Since then, the Red Cross has provided communications and other humanitarian services to help members of the U.S. military and their families around the world.

Time and time again, from floods and tornadoes to diseases and terrorist attacks, the Red Cross has led the way in providing disaster relief in times of emergency. By offering clothing, food, shelter, health care, and mental health services, the Red Cross has extended a helping hand and provided comfort and encouragement to millions of people around the world.

The Red Cross is also highly regarded for their efforts in health and safety preparedness. In order to be effective in times of crisis, it is imperative to have adequate preparation. The Red Cross is instrumental in keeping the Nation's blood banks supplied, by organizing and conducting blood drives. The Red Cross has also taken the lead in providing CPR and First Aid training to countless volunteers. In times of trouble, these preparation efforts make all