

Allowing these senior agents to stay on, if they wish, another three years will be both cost effective as well as help to keep our best, most highly qualified workforce.

I urge my colleagues to support H.R. 1748.

IN SPECIAL RECOGNITION OF MICHAEL A. SMITH ON HIS APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1999

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to a truly outstanding young man from Ohio's Fifth Congressional District. Recently, I had the opportunity to nominate Michael A. Smith for an appointment to attend the United States Military Academy at West Point, New York.

I am pleased to announce that Michael has been offered an appointment and will be attending West Point with the incoming cadet class of 2003. Attending one of our nation's military academies is one of the most rewarding and demanding time periods these young men and women will ever undertake. Our military academies turn these young adults into the finest officers of the world.

Mr. Speaker, without question, Michael Smith belongs with the incoming West Point class of 2003. During his time at Tiffin Calvert High School, in Tiffin, Ohio, Michael performed in excellent fashion. With his outstanding 3.95 grade point average, he is ranked second in his class. He is a member of the National Honor Society, and earned the National Machinery Citizenship Award as a freshman, sophomore, and junior.

Not only did Michael excel in the classroom, but he distinguished himself on the fields of athletic competition as well. Michael has been a member of the Tiffin Calvert High School Cross Country and Track Teams, earning varsity letters in both sports. Michael is also a member of the French Club and Students Against Drunk Driving.

Mr. Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Michael Smith. Our service academic offer the finest education and military training available anywhere in the world. I am sure that Michael will do very well at West Point, and I wish him much success on all his future endeavors.

SMART GROWTH IN MARYLAND

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1999

Mr. CUMMINGS. Mr. Speaker, I'd like to thank Representatives BLUMENAUER and HOFFEL for their effort in organizing this special order on the Department of Transportation's "Transportation and Community and System Preservation Pilot Program"—an out-

growth of the Clinton Administration's "Livable Communities" and "Smart Growth" initiatives.

Innovative land-use and conservation policies, known as "smart growth" strategies, are used by communities across the U.S. to preserve green space, ease traffic congestion, and monitor infrastructure development.

As stated by Maryland Governor Paris Glendening, "The goal of smart growth is not no growth or even slow growth . . . rather, the goal is sensible growth that balances our need for jobs and economic development with our desire to save our natural environment before it is forever lost."

Mr. Speaker, I submit to you these facts: in 1970, 12 billion vehicle miles were traveled each year in Maryland, by 1990 that number more than doubled to 28 billion vehicles; from 1970 to 1995 Maryland's population grew by 25% from 4 to 5 million—and is expected to top 6 million by 2020; during the same 25 years, the population in the major suburbs around Baltimore City skyrocketed by 67 percent. In the last four years alone, Baltimore City has lost more than 50,000 residents!

Facing these daunting statistics, the state of Maryland has been at the forefront of smart growth initiatives. Maryland passed the nation's first comprehensive "Smart Growth" Act in 1992, which sought to: concentrate development in suitable areas; protect sensitive and resource areas; direct growth in rural areas to existing population centers; promote stewardship of the Chesapeake Bay; practice conservation and reduce consumption of resources; and encourage economic growth and streamline regulatory mechanisms.

As a member of the Transportation and Infrastructure Committee, I am pleased that the Administration has maintained its commitment to strengthening the federal government's role as a partner with urban and rural communities. Through the Department of Transportation, the Administration has actively pursued objectives that not only make communities more economically attractive, but also improve quality of life.

Under the TCSP program funded by the Department of Transportation, the "Maryland Integrating Transportation and Smart Growth Program"—MINTS—has been awarded \$450,000 to demonstrate how smart growth can successfully be linked with innovative transportation policies.

The grant will be used to: maintain and enhance existing communities and contribute to their quality of life and economic vitality; demonstrate how investments in transportation strategies can encourage well-planned growth where it is desired and discourage new development where it is inconsistent with smart growth objectives; and use sound growth management to facilitate community conservation, preservation of infrastructure capacity, and "smart" transportation strategies.

The MINTS program will be implemented in two distinct growth management settings:

First, an urban community where there are challenges to improve the efficiency of the existing transportation system, to conserve the community, and to prompt re-development; and

Second, where suburban sprawl threatens rural resource protection goals and generates highway and other infrastructure needs.

Mr. Speaker, As legislators, we MUST recognize that growth is inevitable and growth is necessary. However, my hope is that my colleagues will utilize smart growth initiatives outlined by the Clinton administration to protect the environment, while also supporting the growing transportation and infrastructure needs of their districts and states.

THE COPYRIGHT DAMAGES IMPROVEMENT ACT OF 1999

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1999

Mr. ROGAN. Mr. Speaker, I am pleased to introduce the Copyright Damages Improvement Act of 1999. This bill makes significant improvements to the Copyright Act by strengthening damages for copyright infringement. It is extremely important that the United States remain a leader in the protection and enforcement of intellectual property rights, not only because of the value of the intellectual property created in the United States, but also to set an example for other countries to follow.

This bill will increase the range of statutory damages available for copyright infringement. Copyright owners may elect to receive actual or statutory damages for infringement of their registered works. Because of the difficulty in proving actual damages, many copyright owners choose statutory damages. The amount of statutory damages were last increased in 1988 when the United States acceded to the Berne Convention. The proposed amount of statutory damages are rounded from the rate of inflation since 1988. In this time of economic and technological growth, it is necessary to increase the level of damages if they are to be an effective deterrent to copyright infringement. Further, the increase in damages will assist the United States in its negotiations with other countries concerning protection of intellectual property.

This bill also adds a new tier of statutory damages. It targets "repeat" offenders or parties that have engaged in a "pattern or practice" of infringement. These are the worst of the worst offenders. These individuals, who continue to infringe a copyrighted work in spite of receiving notice from the copyright owner that the use is unauthorized, should be subject to stricter penalties. Currently, an infringer may be liable for up to \$100,000 per infringed work. An infringer who is distributing thousands of unauthorized copies of a popular movie or software program may not be deterred by this penalty. In response to this problem, my bill will establish a strong deterrent for this kind of infringement by allowing the courts to award up to \$250,000 per infringed work.

Finally, this bill ensures that a debtor may not be discharged from debts resulting from willful copyright infringement. The Bankruptcy Code lists items that may not be discharged in bankruptcy. One of these items is, ". . . for willful and malicious injury by the debtor to another entity or to the property of another entity." Federal courts have split on whether "willful" copyright infringement equates with a