

when she responded to the recent testimony from film executives: If the industry doesn't take steps to keep violent films away from young children, she said, "you're going to see some kind of legislation." There are others who feel just as strongly about the portrayals of casual sex and use of obscene language as they do about gratuitous violence.

The legislative powers seem limited, however, even though the Supreme Court has indicated "community standards" can be allowed to prevail in the contests between pornography and free expression, especially where young people are concerned.

In this situation, with movie complexes overbuilt and family movie nights rare, a rational reaction would find the industry doing all it could to tell interesting stories with at least a little less violence and graphic sex. It was possible in the earlier days of television and films.

The industry ought to find a way to reverse the trend toward coarseness and crudity. It could start by raising its standards, revising its inaccurate and unreliable ratings, and leaving more to the viewers' imaginations.

THE FIREARMS RESEARCH AND
DEVELOPMENT SAFETY ACT OF
2000

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 26, 2000

Mr. BARR of Georgia. Mr. Speaker, today I rise to discuss legislation I introduced just before the August recess, H.R. 5012, the Firearms Research and Development Safety Act of 2000. This legislation would enhance the research and development tax credits permitted to firearms businesses to accelerate and explore further what has been termed as Smart Gun Technology, or as some prefer to call it, "Firearm Personalization Technology." In fact, at a later date, I intend to amend the legislation in committee to reflect that terminology.

My proposal increases the research and development tax credit, determined under the applicable rules of the Internal Revenue Code of 1986 (which is usually 20%), to 30% for smart gun technology research and development. It also quantifies this benefit is only available to federal firearms licensees, and it is not available for use on monies received in the form of a grant. Additionally, the base used to determine allowable expenses for the credit is at 100% of a firm's, corporation's, or individual's expenditures for the years 2001, 2002, and 2003, instead of the incremental increase as under current procedure.

These enhancements are intended to do exactly what ought to be done in terms of encouraging innovation and development in safety technology for firearms. That is, the marketplace ought to determine these innovations, and ultimately their acceptance by consumers, law enforcement, and, indeed, even the military in some cases.

The role of the government ought not be to mandate the use of this technology, but rather to encourage and foster its development. Regrettably, much has been said about "Smart Gun," or "Firearm Personalization," tech-

nology, and the panacea some claim it to be in preventing unauthorized access to firearms by felons, violent individuals, or other persons who should not have access to a firearm. The truth is, there are many different approaches to safe gun storage, any of which may be valid depending on the particular circumstances faced by the owner or authorized user.

Mandating the integration of an internal locking system in a firearm is simply not going to prevent determined individuals from gaining access to a gun and misusing it. As in other approaches to safe gun use, training and education are paramount, so each individual owner can develop a strategy for the safe storage and use of their firearm. "Firearm Personalization Technology" assists in doing just this, and if the marketplace responds favorably to these innovations, gun technology will change.

My bill simply allows the gun industry an enhanced opportunity to accelerate work in this field, and to explore whether or not consumers will respond favorably to safe, reliable and practical innovations in gun technology.

Naturally this type of innovation research is not inexpensive. As Members are aware, the industry has been under enormous economic stress, due largely to the anti-gun policies of the current Administration and to frivolous law suits being filed against the industry by anti-gun interests. Precious resources the industry could be devoting to technological innovation have been used to defend its lawful and responsible businesses. Perhaps this credit will help the industry get back into the business of developing better products, instead of having to devote its resources to defending the lawful manufacture, sale, and use of its products.

In order to encourage this technology, my legislation has an additional provision which exempts that part of the firearm which is enhanced or added and devoted solely to the addition of Firearm Personalization Technology, from the federal excise tax on firearms. For example, if a firearm normally costs \$500, and \$500 worth of electronic components are added to the firearm for Firearm Personalization Technology, the \$500 enhancement would be exempt from the federal excise tax. A \$50 savings on a \$1,000 gun may not seem much at first glance, but as many in the industry will tell you, guns are very price-sensitive commodities, for which consumers make a decision to buy or not to buy, based on surprisingly small price differences.

In closing, let me say, Mr. Speaker, while there are certainly obvious sharp divisions in this Chamber on private firearms ownership in our country, I believe my colleagues on both sides of the aisle should be able to support improvements in gun technology which are voluntarily pursued by the manufacturing community, with little rather than more government involvement. Allowing market forces to determine innovation in the field, is the natural and correct way progress ought to occur.

DATABASE PROTECTION

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 26, 2000

Mr. HOBSON. Mr. Speaker, I rise today to voice my support for an important issue that will require the full attention of Congress in the coming year—database protection. While I am disappointed that consensus could not be reached this year on legislation to protect the right of individuals and organizations to protect their databases from the outright theft of their products, I am hopeful that the 107th Congress will act expeditiously on this issue when it convenes in January. A database anti-piracy law is an imperative for an information society that is growing ever more dependent on the Internet and on the information available in electronic databases.

Companies that compile the complex information for these databases put a tremendous amount of work into developing an accurate, understandable resource bank for private or public use. This is a lengthy, expensive, and ongoing process that deserves to be protected. Individuals, companies, and organizations that work hard to compile information for the benefit of their consumers should be protected under our laws. It is not acceptable to allow a "data pirate" to steal the product of someone else's hard work and profit from it, while causing the original compiler market harm. Our nation's intellectual property laws have long recognized the importance of rewarding work with legal protection, and this is one area where the law needs to be improved to keep up with advances in technology unforeseen by earlier generations of lawmakers.

In the district I represent, the consequences of inaction are very real. I have a background in small business and real estate, so I know that importance of this legislation. From the local realtor to the database company that employs thousands in my state, not acting to provide legal recourse to the victims of data piracy, significantly affects jobs and commerce in Central Ohio.

I am concerned that without legislation to protect their databases, there is no incentive to devote time, capital, and resources to the creation and maintenance of dependable and accurate databases. People from all walks of life utilize these databases everyday for information on medicine to information on real estate. Society will be severely affected if these information systems cease to exist. Without legislation to protect them, the lack of incentives for creating and maintaining databases of accurate information will eventually lead to the non-production of these important data compilations.

In the next Congress, we can develop legislation that will protect database producers and still allow consumers the same access to the free flow of information for legitimate purposes. Developing sound legislation on database anti-piracy will be a top priority for me in the 107th Congress. I look forward to working with Mr. COBLE, Chairman of the Judiciary Courts and Intellectual Property Subcommittee, the Commerce Committee, and the House Leadership on this important issue.