

The exemptions were replicated, almost verbatim, in S.8, except that S.8 would have shifted the exempt MSW party's share to the Trust Fund. Our Democratic substitute did not assign a share to the exempt MSW party, nor did S. 1834, the consensus bill reported out of EPW on an 11:4 vote in the 103rd Congress.●

75TH ANNIVERSARY OF THE COLUMBIA UNIVERSITY SCHOOL OF PUBLIC HEALTH

● Mr. MOYNIHAN. Mr. President, I want to take this opportunity to bring to the attention of my colleagues the generous gift by the Mailman Foundation to the Columbia University School of Public Health (CSPH). This represents the largest single gift ever made to a school of public health.

CSPH is one of our nation's first schools of public health and is currently celebrating its 75th anniversary. In its recent history, CSPH has distinguished itself on the local, national, and global levels in a variety of public health areas. The Mailman Foundation endowment will help to strengthen and expand areas such as: (1) access to and quality of health care; (2) prevention of childhood poverty; (3) the enhancement of women's reproductive health, including STD prevention services, and reduction in pregnancy-related deaths in developing countries; (4) the identification of environmental factors such as air and water quality as a cause of disease; (5) the prevention of community and household violence; and (6) AIDS research and treatment.

In addition to these important areas of program and research support, the gift will also be used to provide financial aid to students and for faculty support.

The family-run Mailman Foundation was created by the late Joseph Mailman, the founder of Mailman Corporation, one of the earliest conglomerates in North America. The Foundation has been an important benefactor to numerous institutions devoted to education, medicine, and the arts.

I commend the Mailman Foundation for its remarkable act of philanthropy and for recognizing Columbia's leadership in the field of public health. This gift to Columbia University's internationally known graduate school, now known as the Joseph L. Mailman School of Public Health, will advance the cause of health promotion and disease prevention, through education, research, and direct service.●

TRIBUTE TO MAYOR ROBERT L. ALBRITTEN OF DAWSON, GEORGIA THE 1998 AMERICAN HOMETOWN LEADERSHIP WINNER

● Mr. CLELAND. Mr. President, I rise today to honor Mayor Robert L. Albritten of Dawson, Georgia on receiving the 1998 American Hometown Leadership Award, which is the only national award that recognizes leaders

from small communities whose community service exhibits the highest standards of dedication, ability, creativity and leadership.

Mayor Albritten was nominated by Dawson's Better Hometown Task Force and chosen from a field of 400 national leaders for his pacesetter efforts to save jobs at Almark Mills, a local textile plant employing 250 people that shut its doors last Fall leaving Dawson on the brink of a major unemployment problem.

Faced with a potential devastating blow to the town of 5,000 people and following days of feverish brainstorming, late-night phone calls and hours-long meetings with community leaders, rural development experts and a local accountant, Mayor Albritten and other community leaders emerged with an audacious plan—the plant would become a cooperative, in which each worker would be an owner, and all would have a say and a financial stake in the running of the plant.

However, Mayor Albritten was not satisfied with just creating jobs, he also set out to better the lives of all of those living in Dawson. He changed the city seal to read "The City of Dawson, Committed to a Better Quality of Life for All."

Mayor Robert Albritten has been an innovator and leader, and his determination is truly commendable. He has devoted countless hours of his time and energy to improve the town of Dawson and to better the lives of all of its citizens, never hesitating to help in any way he could. He has not only led the people of Dawson, but he has inspired them. His efforts have also been recognized by having the Robert L. Albritten Neighborhood Community Center named in his honor.

In addition to his endless work on behalf of the citizens of Dawson, Mayor Albritten continues his work as a funeral service practitioner. He and his wife Arna have three daughters, Andrea, Alisha and Ariana.

Mr. President, I ask that you join me and our colleagues in recognizing and honoring Mayor Robert L. Albritten for his remarkable achievements and accomplishments as a citizen and as a leader which have culminated with his selection as the 1998 American Hometown Leadership recipient. Mayor Albritten is truly a remarkable man and a first-rate American richly deserving of such an honor.●

IN SUPPORT OF ANTI-CRIME LEGISLATION

● Mrs. MURRAY. Mr. President, I rise to address a bill introduced earlier this week called the Safe Schools, Safe Streets, and Secure Borders Act of 1998. This bill takes the best ideas and puts them to work providing Americans with the tools they need to make their families safer, their communities healthier, and their schools freer from violence.

I know all of us would like a simple solution to the crime problems facing

this great nation. But all of us know, in our hearts, that there is no easy solution. We must come together, join with our neighbors, our police, our leaders, and our children to tackle the terrifying problems facing us.

We must be tough on criminals. We need to continue to send the message that if you do the crime, you will be doing time—hard time. No one can accuse the U.S. justice system of coddling criminals. We have among the highest percentage of our population in prison, more than almost any other country in the world.

In the Violent Crime Control Act of 1994, which I supported, we strengthened penalties for violent, and drug-related crime. We also provided grants to states to build jails and prisons if they required serious violent offenders to serve at least 75 percent of their sentences. We've hired more than 75,000 new police officers to implement to time-tested program of community policing. Our crime bill has worked.

Now we need more of the same. We need to extend the Violent Crime Reduction Trust fund to pay for these important community-policing and grants to state and local government.

We need to extend the Violence Against Women Act. Preventing domestic violence and providing a safe haven for victims of domestic violence has been a top priority for me. I intend to introduce legislation to ensure victims of domestic violence are not further victimized through insurance, job or social security discrimination. Should this bill be considered by the Senate, I would seek to amend it by adding provisions of my Battered Women Economic Security Act to it.

Another top priority for me in this bill is reducing crime in our schools. As a parent and former educator, I share America's horror that our children are not safe in their schools. We simply must invest time and resources into solving this fundamental problem. This bill will provide an additional \$10 million for the Safe and Drug Free School program and establish partnerships between schools and local law enforcement. Through my Senate Advisory Youth Involvement team, I am learning from students how they believe we can best solve school violence problems. I will be sharing those ideas with my colleagues when we debate this bill.

In my meetings with law enforcement officers around my state, I learned we have some critical problems in our juvenile justice system. While I believe juvenile justice is fundamentally an issue for our state legislatures to address, there is a federal role in several areas. First, we often should treat those 16 and 17-year-olds who commit violent federal offenses as adults. This bill gives prosecutors important discretion to prosecute these offenders as adults.

In addition to getting tough on our most hardened young criminals, we must replicate successful juvenile crime reduction strategies. There are

many efforts in my state of Washington that bring out the best in kids and communities and they are truly making a dent in the juvenile crime problem. Best SELF in Skagit county; Teamchild in King county; community justice in Spokane county and on the Colville Indian Reservation; Safestreets in Seattle; and TOGETHER! in Thurston county are several examples of communities joining together to make a difference with their youth. It's amazing how far just a few thousand dollars can go in these community-based programs; they need our continued support.

Mr. President, this bill also targets gangs, illegal drugs, and domestic and international terrorism. It extends a recently-passed bill I strongly supported, the Bulletproof Vest Partnership Grant Act, and provides other safeguards for our law enforcement officers. It reauthorizes the Drug Czar's office, which coordinates the High Intensity Drug Trafficking Area program that is helping establish a coordinated campaign against drug importation and use while also focusing resources of prevention and treatment of abuse.

No bill is perfect and I cannot say I agree with every provision included in this 1220-page bill. However, the Safe Schools, Safe Streets, and Secure Borders Act of 1998 continues to move this country in the right direction. Violent crime must continue to drop. With all of us joining together to fight crime and embrace healthy communities and schools, America can again become a safe place to raise and educate all of our children.

I thank Senator LEAHY for his fine leadership on this bill and encourage all Senators to work to pass comprehensive, bi-partisan legislation to prevent crime and strengthen families and communities. ●

CONSUMER BANKRUPTCY REFORM ACT OF 1998—AMENDMENT NO. 3600

Amendment No. 3600, sent to the desk by Mr. HATCH on September 17, is printed in today's RECORD under "Amendments Submitted—September 17, 1998."

SATELLITE COMPULSORY LICENSE REFORM PROCESS AND S. 1720 CHAIRMAN'S MARK

The Chairman's mark substitute for S. 1720, not available for printing on September 17, 1998, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Copyright Compulsory License Improvement Act".

SEC. 2. LIMITATIONS ON EXCLUSIVE RIGHTS; SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS WITHIN LOCAL MARKETS.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by adding after section 121 the following new section:

"§ 122. Limitations on exclusive rights; secondary transmissions by satellite carriers within local markets

"(a) SECONDARY TRANSMISSIONS OF TELEVISION BROADCAST STATIONS BY SATELLITE CARRIERS.—A secondary transmission of a primary transmission of a television broadcast station into the station's local market shall be subject to statutory licensing under this section if—

"(1) the secondary transmission is made by a satellite carrier to the public;

"(2) the secondary transmission is permissible under the rules, regulations, or authorizations of the Federal Communications Commission; and

"(3) the satellite carrier makes a direct or indirect charge for the secondary transmission to—

"(A) each subscriber receiving the secondary transmission; or

"(B) a distributor that has contracted with the satellite carrier for direct or indirect delivery of the secondary transmission to the public.

"(b) REPORTING REQUIREMENTS.—

"(1) INITIAL LISTS.—A satellite carrier that makes secondary transmissions of a primary transmission made by a network station under subsection (a) shall, within 90 days after commencing such secondary transmissions, submit to that station a list identifying (by name and street address, including county and zip code) all subscribers to which the satellite carrier currently makes secondary transmissions of that primary transmission.

"(2) SUBSEQUENT LISTS.—After the list is submitted under paragraph (1), the satellite carrier shall, on the 15th of each month, submit to the station a list identifying (by name and street address, including county and zip code) any subscribers who have been added or dropped as subscribers since the last submission under this subsection.

"(3) USE OF SUBSCRIBER INFORMATION.—Subscriber information submitted by a satellite carrier under this subsection may be used only for the purposes of monitoring compliance by the satellite carrier with this section.

"(4) REQUIREMENTS OF STATIONS.—The submission requirements of this subsection shall apply to a satellite carrier only if the station to whom the submissions are to be made places on file with the Register of Copyrights a document identifying the name and address of the person to whom such submissions are to be made. The Register shall maintain for public inspection a file of all such documents.

"(c) NO ROYALTY FEE REQUIRED.—A satellite carrier whose secondary transmissions are subject to statutory licensing under subsection (a) shall have no royalty obligation for such secondary transmissions.

"(d) NONCOMPLIANCE WITH REPORTING REQUIREMENTS.—Notwithstanding subsection (a), the willful or repeated secondary transmission to the public by a satellite carrier of a television broadcast station and embodying a performance or display of a work is actionable as an act of infringement under section 501, and is fully subject to the remedies provided under sections 502 through 506 and 509, if the satellite carrier has not complied with the reporting requirements of subsection (b).

"(e) WILLFUL ALTERATIONS.—Notwithstanding subsection (a), the secondary transmission to the public by a satellite carrier into the local market of a television broadcast station of a primary transmission made by that television broadcast station and embodying a performance or display of a work is actionable as an act of infringement under section 501, and is fully subject to the remedies provided under sections 502 through 506 and 509, if the satellite carrier has not complied with the reporting requirements of subsection (b).

edies provided by sections 502 through 506 and sections 509 and 510, if the content of the particular program in which the performance or display is embodied, or any commercial advertising or station announcement transmitted by the primary transmitter during, or immediately before or after, the transmission of such program, is in any way willfully altered by the satellite carrier through changes, deletions, or additions, or is combined with programming from any other broadcast signal.

"(f) DEFINITIONS.—In this section—

"(1) The term 'distributor' means an entity which contracts to distribute secondary transmissions from a satellite carrier and, either as a single channel or in a package with other programming, provides the secondary transmission either directly to individual subscribers or indirectly through other program distribution entities.

"(2) The term 'local market' for a television broadcast station has the meaning given that term in section 337(h)(2) of the Communications Act of 1934.

"(3) The terms 'satellite carrier' and 'secondary transmission' have the meaning given such terms under section 119(d).".

"(4) The term 'subscriber' means an entity that receives a secondary transmission service by means of a secondary transmission from a satellite and pays a fee for the service, directly or indirectly, to the satellite carrier or to a distributor.

"(5) The term 'television broadcast station' means an over-the-air, commercial or non-commercial television broadcast station licensed by the Federal Communications Commission under subpart E of part 73 of title 47, Code of Federal Regulations.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 1 of title 17, United States Code, is amended by adding after the item relating to section 121 the following:

"122. Limitations on exclusive rights; secondary transmissions by satellite carriers within local market."

SEC. 3. EXTENSION OF EFFECT OF AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.

Section 4(a) of the Satellite Home Viewer Act of 1994 (17 U.S.C. 119 note; Public Law 103-369; 108 Stat. 3481) is amended by striking "December 31, 1999" and inserting "December 31, 2003".

SEC. 4. TRANSITION.

Section 119(a)(5) of title 17, United States Code, is amended by adding at the end the following:

"(E) TRANSITION.—Notwithstanding subparagraphs (A) and (B), a satellite carrier shall not be required to terminate service of a network station to a subscriber until February 28, 1999."

SEC. 5. COMPUTATION OF ROYALTY FEES FOR SATELLITE CARRIERS.

Section 119(c) of title 17, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) The rate of the royalty fee payable in each case under subsection (b)(1)(B)(i) as adjusted by a royalty fee established under paragraph (2) or (3) of this subsection shall be reduced by 30 percent.

"(B) The rate of the royalty fee payable under subsection (b)(1)(B)(ii) as adjusted by a royalty fee established under paragraph (2) or (3) of this subsection shall be reduced by 45 percent."

SEC. 6. DEFINITIONS.

Section 119(d) of title 17, United States Code, is amended—

(1) by striking paragraph (10) and inserting the following: