

former Ohio Governor Richard Celeste. In 1990 he was elected to the bench and has served with distinction. His elevation to a judgeship in the Common Pleas Court represented the highlight of a 30-year career in the legal profession.

Judge Character attended Cleveland public schools and graduated from Glenville High School. He completed studies at Ohio State University and received his juris doctorate from the University of Michigan. He went on to earn a masters of law from Cleveland Marshall College of Law of Cleveland State University.

Prior to his appointment to the bench, Judge Character was a trial attorney. He represented a variety of clients, from Fortune 500 companies to welfare recipients and professional athletes. As a lawyer, Carl Character epitomized excellence in the courtroom. He and I were partners for a number of years in the law firm founded by my brother Carl Stokes, Carl Character, and myself. The law firm was known as Stokes, Character, Terry, Perry Whitehead, young and Davidson. It was during those years that I came to know Carl Character as an outstanding trial lawyer who was totally dedicated to his clients and the cause which he espoused. More than that, however, he was active in our community where he volunteered many hours of service. He was a leader and advocate in the civil rights movement in Cleveland. Whenever his community needed him, Carl Character was there. As a judge he has been compassionate and strong. He is highly respected by the bench and bar and leaves a legacy of excellence as a judge. Carl has been a role model for young lawyers and he has really enjoyed being a judge.

Mr. Speaker, Judge Character is a veteran of the United States Army, having served in the Korean war. He is a past president of the National Bar Association and a member of the American Bar Association. Other memberships include the World Association of Lawyers, American Trial Lawyers Association, National Conference of Black Lawyers, and the Cuyahoga County Bar Association, just to name a few.

In addition to his judicial duties, Judge Character is an integral part of the Cleveland community. He is active in the Cleveland NAACP, Alpha Phi Alpha Fraternity, the Ohio Commission on Racial Fairness, the American Legion, and the University Hospital Board of Trustees. I am also proud to note his membership in the Emmanuel Baptist Church.

Mr. Speaker, throughout his career, Judge Character has been recognized for his dedication and commitment to public service. He received the Distinguished Service Award from the Judicial Council of the National Bar Association. In addition, he received the organization's Presidential Award and C. Francis Straford Award. Judge Character has been named "Father of the Year" by the Teen Father Program. Further, he received special recognition from the Legal Aid Society of Cleveland and has been honored by Beta Gamma Sigma and Beta Alpha Psi Fraternities.

Judge Character and his lovely wife, DeeAnn reside in Shaker Heights, OH. They are the proud parents of Darla and Dea Character. I know that members of Judge Character's family share our pride in his many accomplishments.

Mr. Speaker, I am proud to salute Judge Carl J. Character. He is a dedicated public servant who has fought to ensure justice and

fairness in the legal system. I join his colleagues and others in congratulating him and wishing him well in the future.

INTRODUCTION OF H.R. 3951

HON. ROBERT S. WALKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. WALKER. Mr. Speaker, today we are introducing a bill to clarify the interpretation of language contained in the Florence Agreement, a multilateral international agreement regarding the importation of educational, scientific, and cultural materials. It allows the duty-free importation of scientific apparatus into the United States, if used by U.S. approved institutions for educational, scientific, and cultural purposes.

This legislation specifically broadens the interpretation of the words "scientific instruments or apparatus" by the U.S. Customs Service as it pertains to the Gemini International Telescope Project. The U.S. Customs Service has narrowly defined these terms not to include "components" of these instruments or apparatus.

The present problem involved two large optical telescopes now under construction in Hawaii and Chile. The Gemini International Telescope Project, managed by the Association of Universities in Astronomy [AURA], involves the United States, the United Kingdom, Canada, Chile, Argentina, and Brazil. The telescopes contain several major components, one of which is an 8-meter mirror which was manufactured in the United States. The mirrors were shipped to France for polishing before being returned to Hawaii and Chile for final assembly. The U.S. Customs Service initially contended that the mirror was a component and that components are not eligible for duty-free entry. Chile, however, is not charging duties on the mirror destined for there.

Following requests from Members of Congress and the administration, the U.S. Customs Service finally agreed to allow the duty-free import of the mirror, because it ruled that the mirror involved the essence of the telescopes. However, there are several other major components of the telescope that should also receive duty-free status.

This bill addresses the specific problem being faced by the Gemini International Telescope Project by allowing the duty-free importation of major components of the telescope now under construction in Hawaii. The components are specifically listed in the legislation. This bill also addresses the issue of fairness under the United States obligations under the Florence Agreement. By allowing the duty-free importation of the components of the Gemini telescope, we are fulfilling an agreement we made with the international scientific community.

TRIBUTE TO DR. DAVID G. CRAIG

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. DUNCAN. Mr. Speaker, I want to congratulate Dr. David G. Craig, a University of

Tennessee human ecology professor, for being named as the 1996 Higher Education Teacher of the Year. This indeed is a great honor and one which Dr. Craig should be very proud to receive.

The Tennessee Education Association selected Dr. Craig based on several criteria. He has demonstrated excellence in the classroom, professional merit, and participation in professional, community, and political activities at the University of Tennessee.

I request that a copy of the article "Professor Distinguished as Teacher of Year" which appeared in the University of Tennessee Daily Beacon be placed in the RECORD at this point. I would like to call it to the attention of my colleagues and other readers of the RECORD.

INTERNATIONAL TRADE PATENT AND ROYALTY ENFORCEMENT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. MENENDEZ. Mr. Speaker, the current legal situation in the international trade arena, places small companies and American businesses in a position where they have little recourse against unfair trade acts, and where they are vulnerable to foreign predatory practices. The bill that I am introducing today would mandate that there be legislative change to enable small companies, who have endured unfair methods of competition by their foreign trading partners, to seek redress in a court of competent jurisdiction in the United States.

This legislation will help small business owners like Mr. Salvatore Monte. Mr. Monte is the president of Kenrich Petrochemical Inc., and an inventor in the proud New Jersey tradition of Thomas Edison. Mr. Monte holds numerous patents for organo-metallic compounds, which are used in everything from rocket fuels, to ammunition, to tires, to cars, to printed circuit boards, to photocopiers. In 1976, Mr. Monte signed a contract with Ajinomoto Co. [AJICO] of Japan to import, and later, gave license to manufacture, his chemical products. Since that time, Mr. Monte has experienced extensive violation of his intellectual property rights, and questionable business practices—robbing him of millions of dollars. Mr. Monte has been faced with such anti-competitive business practices as:

Improper recordkeeping; so narrow an interpretation of Japanese patents as to be considered infringement—to the point that the Japanese manufacturer even copied his technical literature; patent flooding; and unauthorized sublicensing for the manufacture of his chemicals.

I believe Mr. Monte is not alone in his dilemma. The U.S. Trade Representative received numerous complaints about Japanese narrow patent interpretation and patent flooding practices. As a result, Japan remains on the special 301 priority watch list. Absent legislative change which gives U.S. courts jurisdiction over the unfair acts and unfair methods of competition in which foreign companies are engaging under the protection of their government, there is little recourse under law for small business owners, like Mr. Monte. The WTO has no jurisdiction over private actions.

One cannot proceed before the WTO except against a government action. For Mr. Monte, he is essentially condemned to bring an action before a Japanese tribunal. This is absurd. Japanese courts have been accused by both the European Union and the United States for their lack of enforcement of intellectual property laws, and for supporting the Japanese unfair patent system. Government enforcement agencies are no better. The Japanese Federal Trade Commission is notorious for tolerating anticompetitive and unfair trade practices.

Mr. Monte's situation raises fundamental questions about the role of our Federal Government in protecting the constitutional rights of our citizens in the context of international trade. Upholding the standard of free markets and free trade is not a license to do nothing. The price of freedom is not without cost for either personal liberties or economic freedom. It is a constitutional right under the first amendment that our citizens may petition the Government for redress of grievances. Also, it is a constitutional prerogative under article 1, section 8, clause 8 "to promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right of their respective writings and discoveries."

Mr. Monte's case shows how defenseless American small business is in international trade and how little the Federal Government does to protect fair trade. As we enter the globalized marketplace of the 21st century, the U.S. Government must take action to ensure that we have policies and laws that support and enhance the position of our businesses. Unfair trade affects everyone—businesses, consumers, and workers. Predatory practices are actionable under U.S. law and we must continue to require that the rights of U.S. citizens are freely and fairly insured. The bill I am introducing today will do just that. I urge my colleagues to join me in cosponsoring this important piece of legislation. Free trade is irrelevant if the trade is not fair.

THANK YOU, NANCY SIMPSON, FOR
YOUR LOYAL SERVICE

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. FIELDS of Texas. Mr. Speaker, it was with mixed emotions that I announced last December 11 my decision to retire from the House at the conclusion of my current term. As I explained at the time, the decision to retire was made more difficult because of the loyalty and dedication of my staff—and because of the genuine friendship I feel for them. Each one of them has served the men and women of Texas' Eighth Congressional District in an extraordinary way.

Today, I want to thank one member of my staff—Nancy Simpson, my director of casework—for everything she's done for me and my constituents in the 16 years that she has worked in my office.

Since January 1981, Nancy has handled more than 10,000 cases—helping constituents who were experiencing problems with Federal agencies. Whether the problem was a lost Social Security check, denial of a veteran's disability benefits claim, an immigration problem

that defied easy resolution, or a request for aid as a result of a flood, hurricane, or other disaster, Nancy has been there day in and day out, helping the men and women of my district when Federal red tape seemed to be overwhelming.

Over the years, Nancy has managed to cut through that redtape on behalf of veterans, senior citizens, Americans seeking to bring family members to the United States, small business owners and many other of my constituents. She has earned their undying gratitude—and mine.

When constituents haven't come to Nancy for help, Nancy has gone to them. She has participated in outreach meetings, visiting communities throughout my district in order to be available to constituents who might not be able to travel to one of my local offices. She has also participated in many of my more than 500 town meetings, visiting communities throughout the district in order to help local residents experiencing problems with the Federal Government.

Her outstanding record of success and compassion has earned Nancy the respect of other caseworkers in other congressional offices. And her dedication and, yes, tenacity, have earned her the respect of officials in a variety of Federal agencies in Texas and Washington, DC.

In addition to helping individual men and women, Nancy has established casework procedures for my office—procedures that have been adopted by other congressional offices. Her training and supervisory skills have been recognized at several Federal agency training seminars.

In addition to her casework, Nancy has handled a variety of special projects in my district; helped conduct legislative research; and helped constituents, small businesses and other organizations in Texas obtain information related to doing business with the Federal Government and to obtaining Federal grants.

Nancy Simpson is one of those hardworking men and women who make all of us in this institution look better than we deserve. I know she has done that for me, and I appreciate this opportunity to publicly thank her for the dedication, loyalty, and professionalism she has exhibited throughout the years it has been my privilege to know and work with her.

Nancy has yet to make a definite decision about what she wants to do in the years ahead. But I am confident that the skills and the personal qualities she has demonstrated in my office will lead to continued success in the future.

Mr. Speaker, I know you join with me in saying thank you to Nancy Simpson for her years of loyal service to me, to the men and women of Texas' Eighth Congressional District, and to this great institution. And I know you join with me in wishing Nancy, and her husband, Richard, all the best in the years ahead.

BILL TO EXTEND WILDERNESS
PROTECTION FOR SPANISH
PEAKS AREA, CO

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. SKAGGS. Mr. Speaker, I am today introducing a bill to continue the protection of

wilderness values in the Spanish Peaks area in Colorado. The bill is cosponsored by my colleagues from Colorado, Mr. MCINNIS and Mrs. SCHROEDER.

The mountains now usually known as the Spanish Peaks are two volcanic peaks in Las Animas and Huerfano Counties whose native American name is Wayatoya. The eastern peak rises to 12,683 feet above sea level, while the summit of the western peak reaches 13,626 feet. The two served as landmarks not only for native Americans but also for some of Colorado's other early settlers and for travelers along the trail between Bent's Old Fort on the Arkansas River and Taos, NM. With this history, it's not surprising that the Spanish Peaks portion of the San Isabel National Forest was included in 1977 on the National Registry of Natural Landmarks.

The Spanish Peaks area has outstanding scenic, geologic, and wilderness values, including a spectacular system of over 250 free-standing dikes and ramps of volcanic materials radiating from the peaks. The State of Colorado has designated the Spanish Peaks as a Natural Area, and they are a popular destination for hikers seeking an opportunity to enjoy an unmatched vista of southeastern Colorado's mountains and plains.

The Spanish Peaks area was considered for possible wilderness designation in the 1970's, but the Colorado Wilderness Act of 1980 provided instead for its continued management as a wilderness study area. A decade later, the Colorado Wilderness Act of 1993 included provisions for long-term management of all the other wilderness study areas in our State's national forests, but questions about the land-ownership pattern in the Spanish Peaks area led to a decision to require continued management of that area as a wilderness study area for 3 years—until August 13, 1996. The 1993 Act also required the Forest Service to report to Congress concerning the extent of non-Federal holdings in the area and the likelihood of acquisition of those holdings by the United States with the owners' consent.

The required report was submitted last year. It indicated that within the approximately 20,825 acres being managed as a wilderness study area, there were about 825 acres where the United States owned neither the surface nor the mineral rights, and about 440 acres more where the United States owned the surface but not the minerals.

To date, through voluntary sales, the United States has acquired some of the non-Federal holdings in the Spanish Peaks area, and there are indications that others will or can be acquired in the same way.

I think there is every reason to believe that it will soon be possible to designate lands within the Spanish Peaks area as part of the National Wilderness Preservation System. Clearly, however, it will not be possible to achieve enactment of such legislation by the middle of next month.

Therefore, the bill we are introducing today simply provides that the Forest Service will continue to manage the Spanish Peaks as a wilderness study area until Congress determines otherwise. This will remove an artificial, arbitrary deadline and will ensure that decisions about the future management of this very special area will be made deliberately, through legislation, rather than by default.

I greatly appreciate the assistance and support of Representatives MCINNIS and SCHROEDER in connection with this legislation.