''She put Opa-locka on the map,'' said state Rep. Willie Logan, another former mayor, who credited his political success to Miller. ''Wherever she went, she carried the Opa-locka banner and brought resources back to the city.''

Shortly after taking office in 1981, Miller pushed to bring paved streets, lights and parks to the city's long-ignored black neighborhoods. She helped bring an arts-and-cultural center to the Triangle, one of the city's roughest areas.

Most recently, Miller persuaded the Tri-county commuter Rail Authority to stop its train in Opa-locka.

Those were just her material accomplishments, Mayor Robert Ingram said.

''But her spirituality had a greater value,'' Ingram said. ''Her aura, her ability to stand in adversity. People would hate her, but she did not return that hate. She was very helpful across cultures, and that is how she could keep getting elected.''

Even in the early 1980s, when naysayers burned a cross on the City Hall lawn and insulted her at city meetings, Miller stood determined, Ingram said.

''She seemed to have some kind of mystique that just put everybody at ease and by example, got everybody working together,'' said Russ Marchner, executive director of the Dade League of Cities. ''It made her particularly valuable in making appearances before the county commission and state committees.''

In honor of Miller's longtime service, the city threw a retirement party Aug. 31. More than 200 people gathered in the rain to pay tribute. Her retirement gift: two round-trip tickets to Hawaii—a trip she was planning to take with her family.

Miller, the daughter of a tailor and a homemaker, was born in Pottstown, Pa. After her parents, James and Frances Moss, separated when she was a year old, Miller was reared by her great-aunt and uncle in Nassau.

She lived in New York briefly and married Walker Miller, a New Yorker in 1947. The couple moved to Opa-locka in 1950. Miller worked as a nurse's aide for a short time and owned Miller and Sons Grocery in Liberty City with her husband. Walker Miller died in 1989. The store, now under renovation, is being run by her children.

''She was active as a community-oriented person, a church person, and she just was a good mom,'' said daughter Regina Miller. ''She was always there for us.''

Miller is survived by daughters Regina, Gail and Alvina Miller, and Cotez Jacobs; and son Alvin Miller, who is vying to fill his mother's commission seat in the fall elections.

Funeral services are set for Oct. 12, with the time and place to be named. In lieu of flowers, please send donations to the Helen Miller Scholarship Fund, P.O. Box 1036, Opa-locka, Fla. 33054.

PATENT HOLDER COMPENSATION

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 4, 1996

Mr. FROST. Mr. Speaker, I am pleased that the provision of the bill that I had introduced and that the House passed last year—H.R. 632—has finally also been passed and returned to the House by the other body. At long last, small investors will be guaranteed fair, reasonable, and entire compensation when they are required to defend their patents rights when appropriated by the Government.

When the bill was pending in the other body, we received some questions whether the legislation was intended actually to provide full coverage of costs as it states, or whether some cap on costs might appropriately be added by the Congress as has been done in some other contexts.

The short answer is that the legislation means just what it says. It intends that all costs are to be reimbursed, with the only limitation being reasonableness, and the determination of reasonableness by a court is to be realistic, not miserly. If the patent holder's actual costs are within the realm of reason under the circumstance, they are to be fully compensated.

A patent holder whose invention is taken by the Government can obtain compensation only by bringing a case in the Court of Federal Claims under Section 1498 (a) of Title 28, United States Code. A case brought under that Section differs substantially not only from the usual cases brought in Federal courts, but also from other eminent domain cases. There is no procedure for an offer by the Government to be submitted to a patent holder for its taking of his patent rights. There is no administrative or other simple procedure for resolution of differences and settlement. There is no prominent single-issue such as valuation as in real estate condemnation cases, but instead a series of issues of unusual complexity. The patent holder must initiate a lawsuit, and must marshall professional assistance capable of establishing the validity of the patent, the infringement of the patent, and the proper valuation of the damages stemming from the infringement. Such lawsuits are exceedingly difficult and time-consuming to prepare and present to the court. They require extensive review, research, analysis, and presentation by capable professionals in the fields of law, engineering, science, accounting, and licensing. The time of such professionals is not inexpensive. Yet a patent holder has no choice but to engage such competent assistance, and to incur such costs, if he is to defend his patent right against the Government's taking.

It is our intent and our expectation that the court bear in mind these unique characteristics of Section 1498(a) lawsuits in the course of judging the reasonableness of the patent owner's costs during the investigation, preparation, liability, and accounting phases of such a case. It is also our intent and expectation that the court base its determination on a realistic view not only of the kinds of costs that it is reasonable to incur in such cases, but also of the reasonableness of the amounts of those costs. With respect to the kinds of costs that it would be reasonable to incur, apart from the costs of professional assistance, we have in mind such court costs as may be taxed under Section 1920 of 28 United States Code, as well as reasonable out-of-pocket expenses charged to the patent owner by expert witnesses and attorneys for such items as computerized research, communications, travel, hotels, and meals. With regard to the reasonableness of the amounts to be reimbursed, we note that suits under section 1498(a) are not elective ones such as prompted the Congress in the past to impose arbitrary limits on attorney's fees as in 28 United States Code, Section 2412(d)(2)(A), and on expert witnesses fees as in 28 United States Code, Section 1821(b). Thus, the touchstone for the court is simply a realistic appraisal of what is reasonable under the circumstances. Certainly, when a small patent holder's economic survival may be threatened by the cost of responding to an unwelcome governmental taking, the concerned patent holder cannot be limited to bargain-basement professional assistance if he is to receive ''just'' compensation as required by the Constitution. In such a situation, as well as in less dire circumstances, the intended test of reasonableness of professional fees actually incurred by the patent holder is whether they are within the range commonly charged by competent professionals in the same locality, in cases of similar complexity and similar importance to the patent holder.

In short, we intend that the Court of Federal Claims at last be empowered to do complete justice in such cases, and we believe that complete justice requires realism and practicality in the assessment of the reasonableness of the patent holder's costs.

TRIBUTE TO TEHAMA COUNTY SUPERVISOR BILL FLOURNOY

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 4, 1996

Mr. FAZIO of California. Mr. Speaker, it is with a great deal of sadness that I rise today to announce the passing of Bill Flournoy of Tehama County, CA, who died on September 5, 1996, at the age of 75.

Bill was a member of the Red Bluff Elks Lodge No. 1250, a member of the Tehama County Cattlemen's Association and the California Cattlemen's Association, a member of the Woolgrowers Association, a member of the Tehama County Fair Board, and a member of the Flood Control Board.

Bill's 24 years of service as a Tehama County Supervisor was the longest tenure of any supervisor in recent years. He served his community with distinction in a variety of ways for many years. I extend my sympathy to his surviving family members while expressing my appreciation and the appreciation of every citizen of Tehama County for his life of service.

CONGRATULATING HARVARD STREET NEIGHBORHOOD HEALTH CENTER

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 4, 1996

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise on this occasion to compliment, encourage, and bring national attention to a successful grass roots health care initiative that started in my district at Harvard Street Neighborhood Health Center and has been implemented throughout the great Commonwealth of Massachusetts. This unique health care program is called Men of Color Health Care Initiative.

This initiative, among other things, is an outgrowth of the fact that the population the program serves tends not to seek out or utilize the medical services available to them. The need for this type of program becomes even more urgent, considering the fact that this

population, when compared to the general public, reflects a disproportionate level of medical needs, including cardiovascular disease, strokes, diabetes, and cancer. Harvard Street Neighborhood Health Center and the other Men of Color health care programs do aggressive outreach and case management, and offer medical services in all major areas. They are to be commended for their hard work and commitment to the community.

I also commend Brigham and Woman's Hospital, the Massachusetts Department of Public Health, and the numerous businesses and individuals whose hard work and financial contribution make this initiative possible.

CONGRESSIONAL BIOMEDICAL RESEARCH CAUCUS CELEBRATES 50 BRIEFING SESSIONS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 4, 1996

Mr. GEKAS. Mr. Speaker, I am pleased to inform my colleagues that since the beginning of the Congressional Biomedical Research Caucus in 1990, until the last briefing of this Congress on September 25, there have been 50 briefing sessions for Members of Congress and their staffs on the latest cutting edge developments in biomedical research.

Over the 6-year period, the Biomedical Research Caucus has developed a working relationship with the five scientific societies: American Society for Cell Biology, American Society for Biochemistry and Molecular Biology, Biophysical Society, Genetics Society of America, American Association of Anatomists and the Association of Anatomy, Cell Biology and Neurobiology Chairpersons, which compose the Joint Steering Committee for Public Policy [JSC]. JSC under the leadership of Dr. Marc Kirschner, chairman of Cell Biology at Harvard Medical School and with the scientific resources of the member societies established a committee, chaired by Nobel Prize winner Dr. Harold Varmus, the current Director of the National Institutes of Health, to develop a biomedical research briefing program for the Congress. I am proud of the quality of the programs and the new opportunities in health care that are presented at the caucus briefings. Since Dr. Varmus assumed his duties at the NIH, we have been fortunate to have Dr. Michael Bishop, University of California, San Francisco, his former colleague and co-prize winner of the Nobel award advise us on appropriate topics and speakers for the caucus briefings. This past year in 1996, Dr. Bishop suggested the caucus learn about issues involving: genetic testing, antibiotic resistance, mad cow disease, and us, how vision wires our brains and the potential for learning, the latest in new drug therapy that may prevent the HIV virus from becoming full blown AIDS and allow individuals to live productive lives, and how H Pylori is involved in ulcers and stomach cancer. We look forward to his suggestions for next year.

This December, 1996, the American Society for Cell Biology at its annual meeting in San Francisco will give its Public Policy Award to Dr. Marc Kirschner, the first research scientist to receive the award. Previous recipients of the Public Policy award have been the Senator from Iowa [Mr. HARKIN] and the gentleman from Illinois [Mr. PORTER] for their contributions to the field of biomedical research. I think it is fitting that scientific societies begin to recognize and reward the service and contributions that their members make to the public arena on behalf of biomedical research. Dr. Kirschner has served the Congress well in beginning the briefing series and bringing all his colleagues, specifically Dr. Varmus and Dr. Bishop to our attention. Once again, Dr. Kirschner has served the Congress well in securing a replacement for his leadership of the JSC societies, Dr. Eric Linder, Director of the Whitehead Institute Genome Center at MIT. For the last year Dr. Lander, a member of the Genetics Society of America, has succeeded Dr. Kirschner, as chair of the efforts of the five societies of the Joint Steering Committee, which continue to provide us excellent advice and guidance on the latest developments in biomedical research. Over the years the caucus briefing series has developed a reputation for excellence and an audience among the Congress from the Congressional Research Service analysts to professional staff of the health and related Committees of the Congress. Two years ago the caucus hosted a briefing presentation by NASA, which was beginning its biology research on the Space Lab and in attendance was astronaut Shannon Lucid, the current American with the longest flight in space and her replacement in space John Blaha. We are able to bring these issues to the Congress by using the noon hour for briefing meetings because of the contribution of the Federation of American Societies for Experimental Biology, which cooperates with the Joint Steering Committee in this service.

We look forward to working with Dr. Lander, who was recently featured in a New York Times profile of a scientist at work, ''Love Of Numbers Leads To Chromosome 17''. Dr. Lander is an amiable adviser who brings the unique perspective of a mathematician to the work of genetics and biology. I commend the attached article about Dr. Lander for your reading and inspiration:

[From the New York Times, Sept. 10, 1996]

LOVE OF NUMBERS LEADS TO CHROMOSOME 17

(By Philip J. Hilts)

CAMBRIDGE, MASS.—In the career of Dr. Eric Steven Lander, as in the new branch of biology known as genomics, the life of numbers and the numbers in life have come together.

Dr. Lander, director of the Whitehead Institute/M.I.T. Genome Center here, is a leader in constructing a complete catalogue of the human DNA code or genome. But he did not arrive at this position in the traditional way—for example with a degree in biology. Only when past 30 did this curly haired and energetic figure first crack a book in biology.

Rather, he grew up in the thrall of numbers. As a high school mathematics whiz, he was on the United States high school team that came in a close second to the Soviet team in the world mathematics Olympiad in 1974. He later trained as a pure mathematician at Princeton University. Only then did he fall in love with biology, as he spent hours talking with his brother, Arthur, a neurologist.

Biology itself has also been undergoing change in recent years. The old style of academic biology is now admitting a brash new branch of inquiry, one that is information-heavy, computer-driven and closely allied to business. And for Dr. Lander, that has been perfect. When he emerged from his personal transformation, there he was, at the leading edge of molecular biology.

He established his credentials in biology by tackling subjects that could only be approached by someone with a strong background in mathematics, like how to analyze statistically whether a disease may be caused by one or many genes, and how to ferret out the different contributing genes.

In August, a team led by Dr. Lander found a gene that contributes to type 2 diabetes, a disease caused by many genes, each with many variants. Dr. Lander's strategy began with the calculation that elusive genes are easier to identify in isolated populations, where people are descended from only a few founders and have not accumulated the many genetic variations of more cosmopolitan groups. He searched for the diabetes gene among a group of people in the Bothnia region of western Finland where few outsiders have migrated in the last 1,000 years.

When biologists began to consider the task of making a complete catalogue of the entire three billion letters in the human body's DNA code, Dr. Lander's work made him a natural candidate to lead one of the several teams of DNA sequencers.

Craig Venter, head of the Institute for Genetics Research, a private concern in Rockville, Md., a competitor of Dr. Lander in the race to sequence genomes, said: ''In sequencing whole genomes the breakthrough has been mathematics, applied math and new algorithms. These are the kind of things Eric is good at.''

At the Whitehead Institute/M.I.T. Genome Center, Dr. Lander's group has produced the first genetic maps of the human and mouse genomes, a necessary step toward working out the complete DNA sequence. His laboratory is one of several that are financed by the National Center for Human Genome Research in Bethesda, Md. The consortium of laboratories had planned to complete the full DNA sequence of the human genome by the year 2005 at a cost of $3 billion, but is already two years ahead of schedule and below budget. The project has already identified many genes of medical interest and prompted investments by several companies.

Dr. Lander, 39, was born and raised in Brooklyn in a family of lawyers. As student at Stuyvesant High School in Manhattan, he was sent one summer to participate in an elite mathematics program, where the students decided that 17 was the most interesting of all numbers. They formed a 17 club and made up a T-shirt emblazoned with amazing facts about the number 17. Dr. Lander can still quote examples: ''Many multisided figures are stable when set down any one of their sides, for example, a pyramid. But did you know that a 17-sided figure is the only one that is stable on one side only?''

Recently, the number 17 has sneaked back into his life. The Whitehead genome center has chosen human chromosome No. 17 as the one it will sequence as its contribution to the Human Genome Project.

''Someone suggested I had picked chromosome 17 because of my fascination with that number,'' Dr. Lander said. ''That's not really true, but I am thinking of taking the old T-shirt out of the closest. I still have it.''

As Dr. Lander followed his instincts, his career took some sharp turns, from pure mathematics at Princeton and Oxford, to managerial economics at the Harvard Business School. Then, while teaching mathematically oriented business classes by day, at night he crossed the Charles River to hang out in biology laboratories.

He had begun to see that beneath the surface of the two very different disciplines of mathematics and biology there lay some