

cases, the burden would be on the applicant to rebut the presumption of obviousness.

On procedure, we would add new protections at the beginning and at the end of the current process. Unfortunately, the public rarely knows when the PTO is evaluating a proposed business method patent application, and thus has no opportunity to bring prior art and other information to the attention of a patent examiner or to argue that the statutory criteria for the award of a patent is for other reasons not met before it is too late to do any good. We, therefore, would require the PTO to give the public at large an opportunity early in the patent review process to submit prior art information and evidence that the claimed invention is already in public use or is obvious. In addition, if asked, the PTO would be required to conduct a proceeding comparable to the discretionary public use proceeding already on the books.

At the end of the process, we would establish an opposition procedure so that the public at large would have one additional opportunity to challenge the award of a business method patent short of having to file a lawsuit. Decisions in these proceedings would be made by an administrative opposition judge chosen from a panel of examiners with special expertise in evaluating business method patents.

The bill makes two other important procedural changes. In cases involving business method patents, the burden of proof on the party seeking to show invalidity would be lowered from the current "clear and convincing evidence standard" to the "preponderance of the evidence" standard. And because we share the concern the PTO has about the lack of prior art being accessible to examiners, our bill would require an applicant for a business method patent to disclose the extent to which the applicant has searched for prior art.

Taken together, these changes will enable the PTO to do a better job when examining business method patent applications, and they will ensure that the American public has an opportunity to participate more fully in the process, which should reduce the risk of the PTO awarding any more patents on the patently obvious.

#### PERSONAL EXPLANATION

#### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 3, 2000*

Ms. WOOLSEY. Mr. Speaker, due to an event in my District, I missed roll call votes #503–505. Had I been present, I would have voted:

Roll Call #503—Yea.

Roll Call #504—Yea.

Roll Call #505—No.

Regarding H.R. 3088, I wholeheartedly agree that victims of rape should be able to learn whether their assailant could have passed on the HIV virus to them. That's why I support addressing this issue in the Violence Against Women Act, and support women who have been raped and want to undergo an HIV test. However, H.R. 3088 could force innocent individuals to undergo HIV tests and have that information involuntarily disclosed to others. This Congress should not force the accused to undergo an HIV test until he has been proven

guilty. Under this legislation, an individual who is indicted and may be able to prove his innocence would still be forced to undergo an HIV test. This bill has not been considered by the Judiciary Committee, and I believe that it strongly violates the principle that Americans are innocent until proven guilty.

#### PRIVACY COMMISSION ACT

SPEECH OF

#### HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 2, 2000*

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to voice my strong opposition to H.R. 4049, the Privacy Commission Act.

H.R. 4049 will establish a commission to study how best to protect individual privacy. In eighteen months this commission will provide its findings to Congress and the President.

Congress is already well aware of the ability of public and private institutions to gather and share data. While the gathering of personal data has heralded improvements in customer services and national security efforts, it threatens to undermine an individual's ability to protect their most private medical and financial information. Internationally, an individual's ability to control their most private information is considered a human right.

I am very concerned about the invasion of our private rights and that is why Congress should act now, not postpone action for another eighteen months when the commission's report is completed.

There is legislation before this body that would provide adequate protection for individual privacy. I am a cosponsor of three such bills: H.R. 1941, H.R. 2447, and H.R. 3320. These three bills will protect personal health information by limiting use and disclosure of such information, prohibit employment or health insurance discrimination based on genetic information, and amend the privacy provisions in the Gramm-Leach-Bliley Act to prohibit financial institutions from disclosing, or making use of, nonpublic personal credit information. On May 1, 2000, President Clinton announced his consumer privacy plan which he presented to Congress stating "we cannot allow new opportunities to erode old and fundamental rights."

These bills and the President's plan should be considered by the full House. Individual privacy protection greatly concerns individuals in my district. They deserve to have this issue debated in full and addressed immediately. H.R. 4049 will serve only to delay this process, and in the end inform us and the American people what is already abundantly apparent: Congress must act immediately to protect individual privacy.

#### RECOGNIZING EMMA BEATRICE TAYLOR—95 YEARS YOUNG

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 3, 2000*

Mr. TOWNS. Mr. Speaker, today I honor Emma Beatrice Taylor, a resident of Brooklyn,

on her 95th birthday. I ask my colleagues assembled here today to please join me in acknowledging Mrs. Taylor's remarkable life.

On this day, October 3, 1905, here in Washington, D.C., her father, an immigrant from Africa, and her mother, an immigrant from England, were blessed with the birth of their daughter, Emma. As a young girl, Emma possessed excellence, greatness, the favor of God, love and honor, the law of kindness in tongue, morality and character. Emma married Elbert James Robinson, and their union was blessed with three beautiful daughters, including my very good friend, Delores Chainey. Mr. Speaker, all of the amazing blessings bestowed upon Emma Taylor are the result of a God-centered life.

Mr. Speaker, Emma Beatrice Taylor is more than worthy of receiving our birthday wishes, and I hope that all of my colleagues will join me today in honoring this outstanding woman.

#### HONORING THE HUMBOLDT COUNTY, CALIFORNIA BRANCH OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

#### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 3, 2000*

Mr. THOMPSON of California. Mr. Speaker, today I recognize the 50th anniversary of the Humboldt County, California Branch of the American Association of University Women (AAUW).

The AAUW's mission is to promote equity, lifelong education, and positive change for all women. This vision has made a significant impact on the lives of Humboldt County women.

The American Association of University Women is committed to promoting diversity, undertaking research, and providing scholarships, grants and awards. This admirable association takes action on behalf of women in the educational system. For America to prosper we must be sure to foster a learning environment that is accessible to young women and the American Association of University Women has always served as an advocate in this cause. The AAUW is one of the largest private sources of educational grants for women.

During the past 50 years the Humboldt chapter of the AAUW has benefited the community in countless ways. Thanks to community action projects, fundraising and special activities—including an educational foundation, cross cultural exchange, and book and food drives—the Humboldt Branch has provided service as well as a forum for policy discussion and community building.

Mr. Speaker, it is appropriate at this time that we acknowledge the outstanding efforts of the Humboldt County, California Branch of the American Association of University Women.

#### HONORING FLORENCE WALTON RICHARDSON WYCKOFF

#### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 3, 2000*

Mr. FARR of California. Mr. Speaker, today I pay tribute to a woman who helped shape

the history of the State of California, and in the process touched the lives of countless individuals. Ms. Florence Walton Richardson Wyckoff, who would have been 95 this week, died in her sleep on September 20, 2000 in her Watsonville, California home.

Florence was born on October 5, 1905, to Leon J. Richardson and Maud Wilkinson Richardson in Berkeley, California. She earned a B.A. in fine arts at the University of California, Berkeley, in 1926, and it was there that she met her future husband, Hubert Coke Wyckoff. In 1931 they married and moved to San Francisco, where Florence became involved with politics and what would become her life's work, activism. While in San Francisco, she worked with the San Francisco Theater Union and the National Consumers League for Fair Labor Standards. She also worked with the gubernatorial campaign of Cuthbert L. Olsen, and was appointed by Governor Olsen as Director of Community Relations for the California State Relief Administration. It was in this position that she began traveling and investigating the living conditions of farm laborers in this country.

Shocked by the standards she saw, and by the lack of access to such basic necessities as education and healthcare for migrant workers, she became a powerful lobbyist for social change in these areas. During World War II, her husband, Hubert, recruited my father, the late Senator Farr, to work at his side in Washington, DC as a Deputy Administrator in the War Shipping Administration. While in Washington, Florence testified before congressional committees for minimum wages and public health improvements for farm workers. It was at this time that she also served on the Boards of Directors of the National Consumers League and Food For Freedom.

After returning to California, she worked to begin the first citizen's health council in Santa Cruz County, and was appointed by Governor Earl Warren to the Advisory Committee on Children and Youth. She served on this board for twenty years under four governors, and worked to establish health-care clinics for farm workers along the migrant routes used in the nation. Additionally, she was appointed by Governor Edmund G. "Pat" Brown to the State Board of Public Health in 1961, and it was during this time that Florence was integral to the creation and passage of the Federal Migrant Health Act, which remains in effect today.

Never one to sit down when she was needed, she continued to work tirelessly almost until the day she passed away. She helped found organizations that would assist migrant children in attending college, and was a crusader in promoting reading and education among all children. Her last project was the successful recent opening of the Freedom Branch Library, which began as a small library for the children of migrant workers. Florence was also active in many organizations, including Migration, Adaptation in the Americas (MAIA), The Friends of the Freedom Library, The Corralitos Valley Community Council, the Coastal Resource Management Project, the Migrant Agricultural History Archive at the University of California, Santa Cruz, and the Santa Cruz County Community Foundation Board.

I will really miss one of my late mother and father's best friends. I will miss her smile, charm, love for friends and never ending sup-

port and stories of my parents as young activists. As described to me, she was a leader in her life in creating a more compassionate and just society. We have lost a person of history who made this country a better place because of her deeds.

Described by friends and family as "tenacious and determined," "influential" and "caring," and "A woman that made a difference," Florence Wyckoff will be sorely missed by her sister, Jane R. Hanks of North Bennington, Vermont, as well as the many nephews, nieces, friends and the California community, in general.

#### RECOGNITION OF THE QUEENS COURIER

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 3, 2000*

Mr. ACKERMAN. Mr. Speaker, today I pay tribute to the Queens Courier, a weekly community newspaper in the borough Queens, New York, which is celebrating its 15th anniversary.

The Queens Courier was launched late in the last century by Victoria Schneps and John Toscano. Victoria was a school teacher who teamed-up with then WABC-TV reporter Geraldo Rivera to expose abhorrent conditions at the Willowbrook State School for the Mentally Retarded. Victoria's daughter Lara had resided at the facility. John meanwhile, a former political editor at the New York Daily News published the weekly newspaper Queens Week. The two entrepreneurs invested a mere \$250 each to embark on their journalistic quest where in the beginning they worked out of Victoria's living room and did not take salaries for the first year.

The first issue of the newspaper hit the streets on May 9, 1985 as the Whitestone/College Point Courier. The front page headline read "Whitestone-College Point Courier: First Issue Today." That first edition included stories on traffic tie-ups on the Throgs Neck Bridge, local school news and political and gardening columns. Within the next few years, Victoria bought John out and the newspaper attracted many loyal readers and established a strong identity in the area. Then as readership increased, Victoria Schneps expanded the newspaper to cover most communities throughout Queens and subsequently renamed the paper to the Queens Courier.

Today the borough-wide publication includes five newspapers serving 36 neighborhoods in Queens. The newspaper features quality writing and reporting in a contemporary and easy to read format. It is available both by paid subscription and can be obtained at hundreds of outlets throughout Queens.

The Queens Courier has also won numerous awards for excellence in community journalism while affording local businesses and merchants, the opportunities to reach their customers in an efficient and cost-effective manner. In addition, the publication has ventured into the broadcasting and Internet domain with the weekly public affairs show "Queens on the Air" on local cable and an informative site on the world wide web at [www.queenscourier.com](http://www.queenscourier.com). I encourage everybody to log onto this site to see what community journalism is all about.

Yes, from humble beginnings—including that stint until 4 a.m. to get the very first edition—to obtaining the respect and trust of thousands of Queens citizens, the Queens Courier has become a newspaper heavy-weight in the new millennium. Yet the publication continues to stay on the original mission that it set 15 years ago—to provide local news coverage in a fair, accurate and balanced manner. Whether through the breadth of its stories, the quality of its editorials, the informative advertisements, special features and insightful columns—the Queens Courier remains on the cutting edge of community journalism.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me now in congratulating Victoria Schneps and the entire staff of the Queens Courier for a terrific 15 years of service to the Queens community. I am confident that the Queens Courier will continue to enjoy success for many more years to come.

#### FOR BREAD AND FOR FREEDOM: THE 20TH ANNIVERSARY OF THE FOUNDING OF SOLIDARITY

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 3, 2000*

Mr. SMITH of New Jersey. Mr. Speaker, I want to add my voice to those who commemorate the 20th anniversary of the founding of Solidarity and join as a co-sponsor of this resolution, H. Con. Res 416. Significantly, one of the original 21 demands of the Gdansk workers was a call for the implementation of the Helsinki Final Act. As Chairman of the Helsinki Commission, I therefore take special satisfaction in hailing one of the success stories of the Helsinki process.

Stalin is reputed to have once said that trying to impose communism on Poland was like trying to put a saddle on a cow. Certainly, there were few places in Central Europe where communism was more unwelcome and unnatural. The peaceful dismantlement of a totalitarian system imposed by force is testimony to the heroism, ingenuity, and integrity of Solidarity activists and the millions of Solidarity's supporters throughout the country.

Of course, the events at the Gdansk shipyard in the summer of 1980 were the continuation—and elevation—of the opposition to communism that was the inevitable by-product of communism itself in Poland, from the workers' strikes in Poznan in 1956, to the university dissent in 1968, to the Gdansk riots of 1970. But Solidarity was unique in two critical ways. First, it established an unprecedented union between workers and intellectuals, making the whole more than the sum of the parts. Second, it evolved into a mass movement, drawing support from all segments of society. With the critical support of the Catholic Church, Solidarity came to embody the hopes and aspirations not only of the people of Poland, but of dissidents and democrats throughout the region. When Lech Walesa was awarded the Nobel Peace prize, that award rightly recognized the achievements of an extraordinary individual as well as the historic role of the Solidarity movement itself and the people who comprised it.

Indeed, there are many well known heroes of this movement, in addition to Lech Walesa: