

and positive resource for its members, and I encourage my colleagues to support this beneficial and important organization.

CONGRATULATING MACOMB
COMMUNITY COLLEGE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mrs. MILLER of Michigan. Mr. Speaker, it is my great pleasure to congratulate Macomb Community College in Macomb County, Michigan on 50 years of educating some of Michigan's finest citizens. As a former student of Macomb, I have experienced first hand, the caliber of people associated with the college.

It has been wonderful to watch Macomb Community College expand its programs and campuses over the years. With only 84 students enrolled in its first year, Macomb has grown tremendously since its opening in 1954. Not only does the school offer precollege programs for high school students, it also provides more than 40 bachelor's degree completion and graduate degree programs.

Perhaps what is most impressive, however, about Macomb Community College, is its incredible partnership with the community. The Public Service Institute at Macomb strives not only to educate its citizens, but to equip them to serve the community with their respective skills. Classes I completed, such as marketing and speech, have certainly aided me during my years in public office.

I have formerly returned to Macomb to take additional classes, and had the same wonderful experiences. Though the school has grown, the quality and excellence remain the same. I know that in the coming years, Macomb Community College will continue to enrich the lives of its students as well as members of the community.

Congratulations to Macomb Community College on 50 years of excellence in education and service to Macomb County. May you be persistent in your commitment to higher learning and social improvement.

HONORING A FALLEN HERO

HON. SHERWOOD BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. BOEHLERT. Mr. Speaker, colleagues, and friends, my congressional district experienced a great deal of pain and sadness as the City of Rome lost one of its finest residents—a young soldier, Sgt. Michael Uvanni. He paid the ultimate price to ensure our liberty. He gave his life so that the people of Iraq could live without repression and fear—and he gave his life so that Americans could feel safe to live their lives under a blanket of freedom. That freedom comes with a high price and we are eternally grateful for his dedication and commitment to the ideals that we hold dear.

Sgt. Uvanni died October 1 in Samarra, Iraq, as he was conducting combat operations and was shot by a sniper. Uvanni was assigned to the Army National Guard's 2nd Battalion, 108th Infantry Regiment, Morrisonville, NY.

Sgt. Uvanni meant so much to the close-knit community of Rome, NY. He was a fine son and soldier, as well as a standout football player at Rome Free Academy. Sgt. Uvanni earned special honors in 1995 as a senior, being named as a conference second team all-star defensive end.

An outgoing and patriotic young man, Sgt. Uvanni personified the qualities and dedication that make our United States military the greatest armed forces in the world. Sgt. Uvanni completed a tour with the U.S. Marines, and joined the local National Guard earlier this year. Army Guard CSM Frank Wicks said, "While I am sure he will always be a Marine at heart . . . In January he joined the local National Guard and was deployed with the 2nd Battalion 108th Infantry, New York Army National Guard. I am sure he was an outstanding Marine, I can attest to the fact that he was an outstanding member of the 2–108th and will be missed." As Sgt. Uvanni is laid to his final rest, we salute him, and all those killed in the line of duty, for their selfless service and ultimate sacrifice.

I ask my colleagues in the House, and all Americans, to extend our prayers and sympathy to his parents Kevin and Janet Uvanni, as well as the rest of his family and friends, and the entire Rome community.

Together we honor this fallen American hero.

RETIREMENT OF ALLEN J.
WELTMANN

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. OXLEY. Mr. Speaker, we reach the close of the 108th Congress, I rise to note the retirement of Allen J. Weltmann after 39 years of service to PricewaterhouseCoopers. Allen is a Certified Public Accountant and joined the legacy firm of Coopers & Lybrand in 1965 after graduating from Penn State. Price Waterhouse and Coopers & Lybrand merged in 1998.

Allen began his career as an auditor in Syracuse before moving on to Philadelphia and New York. He started the firm's first government affairs unit in 1978 and has been one of the accounting profession's principal spokespersons in the public policy arena for 20 years. In that role I have worked with him on several landmark pieces of securities legislation, including the Sarbanes-Oxley Act of 2002, the Securities Litigation Uniform Standards Act of 1998 and the Private Securities Litigation Reform Act of 1995. Allen has always been held in esteem by members of Congress and his colleagues in the private sector for his grasp of technical detail and professional demeanor.

In addition to his work on accounting policy, Allen served as the Working Chair of the Transatlantic Business Dialogue, a collaboration of US and EU businesses working to reduce trade barriers between countries. He also advises the Department of Commerce on accounting issues through his seat on the Industry Services Advisory Council.

Allen belongs to the Pennsylvania Institute of Certified Public Accountants and the Greater Washington Society of Certified Public Ac-

countants. He and his wife, Judi, live in Chevy Chase, Maryland and have four children and eight grandchildren. He plans to remain in the Washington area and to serve as Chairman of the Libraries Development Advisory Board of Penn State.

TRIBUTE TO HAYES WENDELL
JONES

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. KNOLLENBERG. Mr. Speaker, I would like to congratulate a constituent of mine, Hayes Wendell Jones. This year marks the 40th anniversary of his gold medal victory in the 1964 Summer Olympics. Since then, Mr. Jones has succeeded in business and been a dedicated servant to our community.

Hayes Jones went to Pontiac, MI, schools and became a student athlete at Eastern Michigan University. To help pay his way through college, he mopped floors and washed dishes. As an athlete, he was considered too short for hurdles, but through hard work and determination, Hayes became a worldclass track sprinter and hurdler. In 1960 at the Rome Summer Olympic Games, he finished third to win the bronze medal. Four years later, in 1964 at the Tokyo Summer Olympic Games, Hayes won the gold medal in the 110-meter hurdles.

There is no question that Hayes Jones is a track and field legend. He is a member of the Helms Athletic Hall of Fame in Los Angeles; the Michigan Hall of Fame; the Eastern Michigan Athletic Hall of Fame; the National Track and Field Hall of Fame; and the Pontiac Central High School Hall of Fame.

Hayes has also been successful in business, using his athletic experience to learn about different cultures and backgrounds. He understands that good business is really about building and maintaining good relationships. He is currently a Senior Business Development Representative for Oakland County, Michigan. As an Oakland County resident, I can say we are lucky to have him serving the county.

Hayes should also be recognized for his selfless acts to the community. He has parlayed his athletic and business success into community service. He serves as chair of the volunteer committee of the Arts League of Michigan and is on the board of directors for Dominican High School and Academy in Detroit. He is former board chair of the Pontiac Chamber of Commerce and former economic development committee chair for the Oakland County Business Roundtable and the Pontiac Area Urban League. In addition, he has served on the board of trustees for North Oakland Medical Center and the Clinton Valley Boy Scouts.

Hayes has even donated his gold medal to the city of Pontiac, MI, to inspire youngsters to achieve their dreams. He has given them the opportunity by organizing a track and field program, "The Junior Olympics," for students in Pontiac middle schools. Just as importantly, he has worked to ensure their education by serving as a school board member for the Pontiac School District.

Mr. Speaker, on this fortieth anniversary of Hayes winning an Olympic gold medal, I commend and thank him for his service and dedication to our community.

TRIBUTE TO WEST BRANCH
HOSPITAL

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. STUPAK. Mr. Speaker, I rise today in recognition of a hospital in my district that has recently passed a remarkable milestone. On October 25, the board of trustees and members of the staff at the West Branch Regional Medical Center, formerly known as the Tolfree Memorial Hospital in West Branch, MI, will celebrate their 75th anniversary. For the past 75 years, the West Branch Regional Medical Center has provided service and care to patients in West Branch area.

The original Tolfree Memorial Hospital was built in West Branch in 1929, through the generosity and vision of local farmer, lumberman and banker John Tolfree. Over the years, as the community grew and the hospital became more regional in scope, several additions were constructed.

In 1991, it was determined by the Tolfree Memorial Hospital's Board of Trustees that the region had outgrown the facility. After careful financial planning which included fundraising, ground was broken for what is now known as the West Branch Regional Medical Center in 1996. The center was dedicated in 1999 and has been successfully serving Ogemaw County and the surrounding counties ever since. Patients no longer have to travel to Saginaw, MI, which is over an hour away.

West Branch Regional Medical Center is the result of many dedicated people who from the beginning had the foresight and the dedication to see this hospital grow with the community and become a regional medical facility.

In the tradition of the past administration, the current board of trustees for the West Branch Regional Medical Center have also recognized they could offer more services to the community. Along with celebrating their 75 years of service, on October 25, the West Branch Regional Medical Center will also unveil its plan for the next 3 to 5 years which includes the construction of an Ambulatory Care Center.

Mr. Speaker, I ask the U.S. House of Representatives to join me in congratulating the West Branch Regional Medical Center and its staff on their first 75 years of service and wishing them well in their next 75 years.

RECOGNIZING CENTER FOR CIVIL
EDUCATION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. WAXMAN. Mr. Speaker, today I'd like to recognize the important work of the Center for Civic Education and the upcoming Second Annual Congressional Conference on Civic Education, which will be held this December in Washington, DC.

The Center for Civic Education plans annual congressional conferences to focus attention on the importance of civic preparation and engagement in the United States. The first conference was sponsored by the Alliance for Representative Democracy and hosted by the Joint Leadership of the United States Congress here in Washington in September 2003.

The 2003 conference led to the formation of state delegations that are currently working on policies that will restore the civic mission of our schools, consistent with each state's unique education structure. I'd like to commend the California delegation and its facilitator, Roy Erickson, for their leadership in the current efforts to design an action plan for our state. California is creating coalitions of stakeholders in public education who will build support for, develop and implement high quality civic education programs. Through these programs, we will ensure that our youth have the necessary civic knowledge, skills and attitudes to be engaged citizens. I want to express my strong support for the Center for Civic Education's efforts to increase democratic participation, and for the work of the upcoming conference.

THE PATENT QUALITY
ASSISTANCE ACT OF 2004

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. BERMAN. Mr. Speaker, today I join Representative BOUCHER in introducing the Patent Quality Assistance Act of 2004, PQA Act. Introduction of this legislation comes almost exactly one year after release of a Federal Trade Commission report entitled "To Promote Innovation: The Proper Balance of Competition and Patent Law and Policy," and several months after release of "A Patent System for the 21st Century" by the National Research Council. These reports both made a number of recommendations for increasing patent quality and ensuring that patent protection promotes, rather than inhibits, economic growth and scientific progress. Consistent with the goals and recommendations of those reports, the PQA Act contains a number of provisions designed to improve patent quality, deter abusive practices by unscrupulous patent holders, and provide meaningful, low-cost alternatives to litigation for challenging the patent validity.

I am a strong believer that the prospect of patent protection promotes innovation. However, I also believe that the patent system is strongest, and incentives for innovation greatest, when patents protect only truly deserving inventions. When functioning properly, the patent system should encourage and enable inventors to push the boundaries of knowledge and possibility. If the patent system allows questionable patents to issue and does not provide adequate safeguards against patent abuses, the system may stifle innovation and interfere with competitive market forces.

This bill represents our latest thoughts in an ongoing discussion about legislative solutions to patent quality concerns. We have considered the multitude of comments received on patent bills in years past, and acknowledge the problems to be difficult and, as yet, without

consensus solutions. It is clear, however, that introduction of specific legislation focuses and advances the discussion. It is also clear that the problems with the patent system have become exacerbated, rather than dissipating. With or without consensus, Congress must act soon to address these problems.

Thus, we introduce this bill at the end of this Congress with the intent of framing the debate going into the 109th Congress, and with every intention of passing legislation in the next two years.

The bill contains a number of initiatives to improve patent quality and ensure patents are positive forces in the marketplace.

Section 2 creates a post-grant opposition procedure. In certain limited circumstances, opposition allows parties to challenge a granted patent through a expeditious and less costly alternative to litigation.

Sections 3 and 4 permit patent examiners, within a limited time frame, to consider certain materials submitted by third parties regarding a pending patent application. Allowing such third party submissions will increase the likelihood that examiners are cognizant of the most relevant prior art, and therefore constitute a front-end solution for strengthening patent quality.

Section 5 addresses the inequitable incentives that exist between patent holders who indiscriminately issue licensing letters, and the parties who receive these letters. Patent holders frequently assert that another party is using a patented invention, and for a fee, offer to grant a license for such use. Current law provides no disincentive to indiscriminate and unfounded issuance of such licensing letters.

Conversely, parties receiving such licensing letters have a strong incentive to pay up even if they believe they are not engaged in infringement. Once in receipt of such a letter, the recipient faces no good options. If he ignores the letter, the recipient may be liable for treble damages as a willful infringer. The recipient can avoid being found a willful infringer if he obtains an opinion from a patent attorney that the recipient is not committing infringement, but such letters frequently cost up to \$50,000. A recipient cannot, however, file for a declaratory judgement of non-infringement unless the licensing letter creates a "Case or Controversy," and of course these letters are typically drafted to avoid meeting this threshold.

Section 5 addresses this inequitable situation. It ensures that recipients of licensing letters will not be exposed to liability for willful infringement unless the letter gives rise to a "Case or Controversy", and thus, allows the recipient to seek a declaratory judgement.

Section 6 is designed to address the deleterious effect on innovation created by patent "trolls." We have learned of innumerable situations in which patent holders, who made no effort to commercialize their inventions, waited in the shadows until another party had invested substantial resources in a business or product that may infringe on the unutilized invention. The patent troll then steps out of the shadows and demands that the alleged infringer pay a significant licensing fee to avoid an infringement suit. The alleged infringer often feels compelled to pay almost any price named by the patent troll because, under current law, a permanent injunction issues automatically upon a finding of infringement. Issuance of a permanent injunction would, in