

with Northern Division, and then Chesapeake Division, to become a GS-7 Management Analyst. Moving to Washington DC in June 1970, he continued to progress at the Chesapeake Division, becoming a GS-11 Program Analyst. In April 1973, he was promoted to Headquarters, Naval Facilities Engineering Command, where he began as a GS-11 Employment Development Specialist. For the next 15 years, Mr. DiFilippo had a most profound impact on manpower matters in the entire Command. For 9 years as a GS-13, he led the Naval Facilities Engineering Command Professional Development Program, bringing numerous professionals onto the roles, and nurturing their careers through professional guidance and support. Many of those he hired and guided are now the key leaders in the organization.

Moving up again in the Naval Facilities Engineering Command, DiFilippo became a GS-14 Supervisory Management Analyst in the Office of Civilian Personnel Programs, and eventually became the GS-15 Director of the Office of Civilian Personnel Programs (the "DCPP," as his position is known), with wide responsibilities for all aspects of personnel policy and management.

Someone of his breadth of talent is often called upon to help in other areas. In July 1988, DiFilippo was detailed to the Pentagon to support the Navy Model Installations Program. His extensive knowledge and skills helped numerous initiatives gain acceptance and improve the Naval shore establishment. He continued with the Model Installation Program at the Naval Facilities Engineering Command until April 1991, when he became the GS-15 Special Assistant to the Deputy Director of Programs and Comptroller at the Naval Facilities Engineering Command. In this position, he influenced major budgetary and program decisions, improving efficiency and effectiveness.

From 1993 until his retirement, Mr. DiFilippo served as the GS-15 Director of Corporate Management, acting as the Special Assistant to the Commander, Naval Facilities Engineering Command, and to the Deputy Commander for Operations. His positive influence on Command decision-making during this period cannot be overstated. He has been the steady, keen mind helping to implement major Command initiatives, and advising not only senior managers, but the entire Command. Everyone in the Naval Facilities Engineering Command knows that if you need an answer, "Just ask Lou."

DiFilippo's steadfast leadership and superb performance have won him awards almost too numerous to mention. He has received the Superior Civilian Service Award three times (1982, 1984 and 1998), and the prestigious Distinguished Civilian Service Award in 2005. He leaves behind a legacy of mentorship and service that will be difficult to match, along with a cadre of leaders within the Command that have benefited from his professional guidance.

I am pleased to recognize and thank Louis DiFilippo for his long and dedicated service to this country, and I join his family, friends, and colleagues in wishing him "Fair Winds and Following Seas" as he begins his well earned retirement.

HONORING THE LIFE OF THOMAS BROWN

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to the memory of an outstanding American—Mr. Thomas Brown of La Grange, IL, who passed away on April 11, 2005.

To say that Tom Brown devoted his life to service is an understatement. A native of Cicero, IL, Mr. Brown married his childhood sweetheart, the former Helen Sauer in 1942—right before joining the Army Air Corps as a bombardier. While flying a mission on March 26, 1945, Lieutenant Brown's bomber was hit by enemy fire over Austria, and the father-to-be became a prisoner of war.

Not satisfied to sit on the sidelines for the remainder of the war, Lieutenant Brown joined his fellow prisoners in overpowering the guards—and then stealing a German plane! The escapees flew the plane to Allied-occupied Yugoslavia, where they crash-landed the plane after being shot at by Allied troops. Lieutenant Brown received the Purple Heart, the Air Medal, the Victory Medal and the Distinguished Flying Cross for his part in the storybook escape.

Upon returning to the states after the war, Tom Brown did what most veterans did at the time—he went to work, in his case, in the family plumbing business, and he raised a family with Helen.

Mr. Brown's devotion to service led him into local politics, and he served on the La Grange Village Board from 1968 to 1973 and as Village President from 1973 to 1977. In 1983, Mr. Brown took a position as La Grange Code Enforcement Officer and Plumbing Inspector, working until his retirement in 2002.

He was well-known around the community for his wit and easygoing personality. As current La Grange Village President Tim Hansen said, Tom Brown was "the classic old Irish character."

"He was just terrific at limericks and he had a knack for putting people at ease. Both he and Helen have been great friends to the village—just stalwarts in their commitment to helping the village or the church or whatever cause needed them," President Hansen said.

Mr. Speaker, I extend my deepest condolences to Mrs. Brown and the Brown children, as on the passing of Tom Brown, who represented so well the "Greatest Generation."

HONORING THE CONTRIBUTIONS OF JENNIFER HENRY, MARION MIDDLE SCHOOL TEACHER OF THE YEAR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the countless contributions of Jennifer Henry to Marion Middle School.

Jennifer Henry received her B.A. in Anthropology from Texas A&M University. She is currently furthering her education by pursuing her Master's in Secondary Education from Texas State University.

Ms. Henry became interested in teaching while she was a student at Texas A&M. Her studies there convinced her that students need more than just information: they need to be taught how to study and learn. As a result of this insight, Ms. Henry strives to give her students the skills and habits of thought they will need to become successful lifelong learners.

Ms. Henry's goal is to provide a safe, inviting, and engaging classroom environment. She aims to make her curriculum student-centered, and to take advantage of all the available technology resources to facilitate learning. She believes that students learn best from practical examples, and tries to connect learning with real-life applications as much as possible.

Ms. Henry is an energetic and committed teacher, and her efforts have already made a positive impact on her school district and her students. She has a bright future ahead of her, and I am happy to have the chance to applaud her work here today.

INTRODUCTION OF PORTLAND STREETCAR TARIFF WAIVER BILL

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. BLUMENAUER. Mr. Speaker, I am introducing legislation that will waive tariffs on three new streetcars to be delivered in 2006 for the city of Portland's successful streetcar system. Without a domestic producer of compatible streetcars, it does not seem reasonable that the city should have to pay an additional \$300,000 in tariffs.

The Portland streetcar system has served as an important mobility option in circulating workers, students and visitors throughout the downtown area. Additionally, the system has attracted over a billion dollars in development along its route, linking housing, offices, retail, and Portland State University. Recently, the streetcar was extended down to the banks of the Willamette River and construction has already begun on a further extension to the South Waterfront development project being anchored by Oregon Health Sciences University.

I thank the Ways and Means Committee for consideration of this legislation, which will continue to help improve the transportation options and livability of Oregonians.

TRADEMARK DILUTION REVISION ACT OF 2005

SPEECH OF

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 19, 2005

Mr. WU. Mr. Speaker, I rise in strong opposition to H.R. 683, the Trademark Dilution Revision Act.

Trademark law emanates from the commerce clause. It was originally about consumer protection, ensuring consumers are not confused or harmed by the misuse of a famous trademark, rather than property protection. However, with the passage of the Federal

Trademark Dilution Act in 1995, the issue of trademark dilution became more an issue of property protection. The purpose of that law was to enable businesses" to protect the investment that companies have made in branding their products. Consumer confusion was no longer required to establish "dilution." Not surprisingly, private lawsuits in this area jumped from 2,405 in 1990 to 4,187 in 2000.

For example, Starbucks went after a local coffee shop in my district that was named after its owner, Samantha Buck Lundberg. The coffee shop bore the nickname given to her by her family and friends—Sambuck. Ringling Bros.-Barnum and Bailey Circus sued the State of Utah over Utah's advertising slogan that it had "The Greatest Snow on Earth." To the circus this slogan was an obvious play on the long time identification of the circus as "The Greatest Show on Earth." Microsoft sued to prevent use of the term "Lindows" for the Linux operating system software and website produced by Lindows, Inc., arguing that it was clearly an attempt to play on the Windows designation of its own operating system. Lindows eventually changed the name of the product and website to "Linspire" after losing court cases. Best Western International the hotel/motel chain appears to be trying to claim sole right to the word "Best" when it comes to using the word in names of hotels or motels. It has sued both Best Inns and Best Value Inns, contending that those names infringe on its trademark.

In recent years, the Supreme Court addressed these lawsuits in *Moseley, et al., DBA Victor's Little Secret v. V Secret Catalogue, Inc., et al.*, in which *Victoria's Secret* sued a small business in Kentucky. In its opinion, the Court ruled that companies under the Federal Trademark Dilution Act have to prove that their famous brand is actually being damaged before they can use dilution law to force another person or company to stop using a word, logo, or color.

Since trademark laws have an effect not only on famous companies but also on the many small businesses with legitimate business interests, any anti-dilution legislation should be very carefully considered so as not to interfere with the rights of small businesses. The goal must be to protect trademarks from subsequent uses that blur, dilute or tarnish that trademark, but it must also be the protection of small business interests from its more powerful corporate counterparts.

Unfortunately, this bill will change trademark law to make it easier for large companies to sue individuals and businesses for trademark dilution, thus potentially creating rights in perpetuity for trademarks. This bill states that no actual harm will have to be proven; large companies will be able arbitrarily to file lawsuits against small businesses and private citizens.

I agree with the Supreme Court in its unanimous decision in *Moseley*. I think that companies in seeking to impose their trademarks upon the public must show actual harm. If not, we run the risk of trademark owners being able to lock up large portions of our shared language. This open-ended invitation to litigate is especially troubling at a time when even colors and common words can be granted trademark protection.

I urge my colleagues to oppose this bill.

EFFICIENT ENERGY THROUGH
CERTIFIED TECHNOLOGIES AND
ELECTRICITY RELIABILITY ACT
OF 2005

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce the Efficient Energy through Certified Technologies and Electricity Reliability (EFFECTER) Act of 2005. I am joined in this effort by a diverse coalition of my colleagues including Mr. MARKEY of Massachusetts, as well as Senator SNOWE of Maine and Senator FEINSTEIN of California. This bill is a more developed version of the EFFECTER Act that Mr. MARKEY and I introduced in April 2004.

With the President's Energy Plan currently stalled in the other body, we believe that this bill can deliver on one of the less controversial issues when it comes to energy policy—energy efficiency. I support the President's Energy Plan and voted in favor of H.R. 6 when it came before this body for final passage. It is my hope that this fine legislation will implement a desperately needed energy policy in this country.

My constituents in San Diego suffered through the Energy Crisis during the summer of 2001. The aftershocks of the rolling blackouts and outrageously high energy prices are still being felt. Gas prices in California are currently the highest in the country at over \$2.50 per gallon. We risk another major blackout and continually soaring fuel prices if we choose to wait before enacting a long term energy policy. My constituents, and all the American people, need solutions now. I am introducing this bill in an effort to pass a portion of our long-term energy plan that can produce results now.

In our legislation introduced last year, Congressman MARKEY and I created legislation that would give builders and consumers a reason to construct housing and purchase equipment that not only saves the consumer money in the long run, but also helps save energy. We have taken this idea and have put it into this bill along with other cost-saving provisions. This legislation offers tax incentives to encourage the production and sale of technologically advanced, energy-efficient buildings and equipment. The incentives will reduce peak power demand, which can diffuse the risk of blackouts and high electricity prices. Peak power shortages cost California \$15 billion in 2000 alone.

These tax incentives are performance based, not cost based. One dollar of federal tax incentives for energy efficiency offered today will not be paid until January-April 2005, but manufacturers will respond to the incentives by investing in production facilities for more efficient products immediately. This will promote the creation of competitive markets for new technologies and designs that are not widely available today, but have the possibility of being cost effective to the consumer in the future.

This bill will have the government lead by example by cutting our own energy bills by upgrading our building energy efficiency standards and purchase specifications, and reauthorizing federal Energy Savings Performance

Contracts, which allow private companies to partner with the government for mutually beneficial cost-effective energy savings. Finally, it includes mandatory electricity reliability requirements that address directly the failures that caused the east coast blackout of 2003.

This bill increases the security and reliability of the electric grid, while reducing natural gas and electricity prices by cutting the demand for natural gas and electricity in the near term, as well as in the longer term. Grid security is improved by adopting mandatory standards for operation.

The EFFECTER Act seeks to address two key power supply issues—electric reliability and natural gas prices. Reducing peak electric demand not only eases pressure on the electric grid but also reduces utility demand for natural gas, a major factor that has led to higher prices. Over the next ten years, this legislation can produce natural gas savings of over 3.3 quads annually—over 12 percent of total gas use; and peak electricity savings of 145,000 megawatts—equivalent to 350 new power plants of 400 MW capacity.

Mr. Speaker, please join me in supporting the EFFECTER Act which will help reduce energy needs and provide for a cleaner environment. Let's respond to our country's desperate needs today, before we have another energy crisis.

HONORING THE CONTRIBUTIONS
OF MARY JOYCE YOUNG, MARION
HIGH SCHOOL TEACHER OF
THE YEAR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. CUELLAR. Mr. Speaker, I rise to honor the accomplishments of Mary Joyce Young, Marion High School Teacher of the Year.

Mary Joyce Young came to the profession of teaching late in life. She worked in a medical office for 25 years before returning to Southwest Texas State University to receive her Bachelor's and Master's degrees. She has taught at Marion High School since her graduation in 1988.

Ms. Young believes in teaching her students more than facts and figures. She aims to teach them character traits that will benefit them for the rest of their lives: self-discipline, integrity, and fairness in the home and the workplace. She says that her work is to create well-rounded citizens, as well as successful students.

Ms. Young teaches four subjects at Marion High School: Senior English, British Literature, Government-Economics, and Creative Writing. She loves her subjects, and works every day to teach her students to love them as well.

Mary Joyce Young is an excellent educator, who has changed the lives of many Marion High School students for the better. She is a credit to her community, and a blessing to the people of Marion. I am proud to have had the chance to recognize her here today.