

major departure point for German immigrants hoping to settle further west, and in 1856 a group of investors paid \$15.00 per share to found the Swiss Colonization Society. Their desire was to locate and purchase land for a new community—and their search was exhaustive. The search included potential sites as far west as the Nebraska and Kansas prairie. The members of the Swiss Colonization Society finally agreed upon a 4,100 acre site between the Town of Troy and the City of Cannelton in Perry County, Indiana.

They created the new city from scratch, laying out more than 7,300 lots along wide streets named after leaders in science, education and the arts. The first 620 settlers arrived in May 1858 and within weeks more than eighty homes were either constructed or being built.

The first name proposed for the city was "Helvetia" after the early Latin name for Switzerland. However, out of a desire to fit the new country they had come to settle, they reconsidered and instead chose to honor their Swiss heritage by naming the city after William Tell, the legendary 14th century Swiss freedom fighter well-known for sparking the rebellion against the Hapsburg Emperors that led to the formation of the Swiss Confederation, a precursor to the modern day Switzerland.

The immigrants that settled in Tell City desired a community founded on the principles of free enterprise, hard work, and freedom. The community's founding mothers and fathers spoke mostly German and were born in Swiss cantons or the yet-to-be-unified Germany.

These settlers left behind political tensions and the economic perils of Europe for the promise offered in America.

Quickly developing sources of trade and commerce, these industrious men and women offered their fellow citizens the staples of the day through the milling of grain, brick making, and the production of clothing, food and beer. One of the earliest trades established in Tell City was that of woodworking and furniture building. That tradition continues today through businesses such as Tell City Chair, William Tell Woodworkers/Swiss Plywood, and Castlewood Corporation.

As Tell City grew, other industries and services also came to the emerging community, including attorneys, the first postmaster and a fire-fighting company. The first school was constructed in 1859 in a small, two story school house. While the lower level was used for teaching, the upstairs room was used as living space for the school's teacher.

Faith also played an important role in the growing community and remains a key component. The first church was a catholic church, built in the 1000 block of Main Street. While the original structure has long since been razed, St. Paul's Catholic Church continues that legacy and has been joined by ten other denominations throughout the city.

The Swiss Colonization Society continued to direct the city's development through its early years and functioned in large part as a municipal government until the new city could function independently. Over the course of its last several years, the Society deeded the remaining land not settled to the city and the community schools and on April 17, 1879 disbanded.

It wasn't until 1886, however, that the town elected August Schreiber as its first mayor. A native of Prussia, Schreiber came to America

in 1855 and entered the pharmacy business, founding Schreiber's Drug Store in Tell City. His term as Mayor lasted only two years. It wasn't until 1892 when Albert Fenn was elected to the position that a native born in Tell City became mayor. Fenn held many other public offices, including that of county auditor, city clerk, and city councilman. Fenn also played an important role in politics outside of Tell City, serving as a delegate in 1896 and as a sergeant-at-arms from 1900–1912 at the Democratic national conventions.

One of Albert Fenn's greatest legacies to Tell City is the City Hall. Conceived in 1895 by Fenn and others to lure the county seat to Tell City from neighboring Cannelton, the original intent was to construct the structure and then donate it to the County. This action set off a competition with the residents of Cannelton, who also began work to raise funds and construct a new structure for the county.

Cannelton completed its project first and provided the structure to the county without cost or the legal process of relocating the county seat. Tell City retained its building as the city hall, using the extra space in the structure for a myriad of civic and community functions, including use as school space. In what is perhaps the most ironic and controversial footnote to the story, Perry County did relocate its county seat to Tell City in 1994 to a new structure located on Payne Street.

Tell City played an important role for shipping during the 1880's. Early commerce and travel was easier along the Ohio River than via the rough roads that connected the city with other communities such as Paoli and Jasper, Indiana. As a result, Tell City developed one of the largest ports between Louisville, KY and Evansville, IN and in 1889, the Louisville and Evansville Mail line named a new boat Tell City in honor of the city's importance on the route. Comprising nearly 38 acres, the Tell City River Port continues the city's river heritage, specializing in the handling of bulk materials such as pig iron, coke, coal and woodchips for area manufacturers.

The river has also served to challenge the community. A victim of the 1937 Ohio River Flood, much of the community had to be restored or rebuilt. Ohio River Flood Markers are painted on the William Tell Woodcrafters Office Building on Seventh Street depicting the actual levels of the water during this and other floods. As with other communities following that historic flood, the Army Corps of Engineers constructed a flood wall to protect the citizenry from future flooding.

Tell City stands as Perry County's largest community and serves as the largest economic district in the county. To that end, the City recently completed a renovation of its downtown district with new landscaping, street lights, and bike racks. Bike lanes were also added throughout the four-block district.

An extensive network of recreational facilities has also been developed in the community to provide assorted athletic opportunities to the residents of the community. New walking trails and further developments of these facilities demonstrate the pride and dedication enjoyed by this community.

Above all else, the real treasure of Tell City is its citizens. Despite any challenges they may face, they continue to display a collective confidence and ingenuity that overcomes any problem and has allowed the city to flourish.

It is an honor and privilege to represent this community in Congress. I want to congratulate

Tell City on its Sesquicentennial, and look forward to seeing how this unique and wonderful city thrives for decades to come.

## TRIBUTE TO LEADERS OF THE ENERGY EFFICIENCY CAUCUS

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 31, 2008*

Mr. COURTNEY. Madam Speaker, I rise today to commend the leaders of the Energy Efficiency Caucus, Representatives MARK UDALL and ZACH WAMP, for spearheading the Congressional Renewable Energy and Energy Efficiency Expo. More than 50 businesses from around the country will demonstrate their sustainable energy technologies.

Energy efficiency must be the cornerstone of our energy policy because it affords our country the ability to decrease demand for oil and other energy sources, thus reducing our overall energy consumption and increasing our national security. Congress must enact incentives to make sure that these technologies flourish.

As I travel across Connecticut's Second Congressional District, I have seen first-hand the innovation that businesses, school districts and families are employing to reduce their energy costs and reduce energy emissions.

Earlier this week, I attended a House field hearing in Hartford, Connecticut, at which the leaders of General Electric and United Technologies Corporation, both headquartered in Connecticut, discussed their energy efficient technologies. These two companies, like the ones exhibiting at the EXPO, have developed a variety of products for all sectors of the economy. At the same time, these companies are also seeing their own energy consumption and costs lowered as they embrace energy efficient technologies internally.

I encourage my colleagues to stop by the EXPO in the Cannon Caucus Room on Thursday anytime between 9 a.m.–5 p.m. It is an opportunity to see innovation first-hand.

## IN HONOR OF RICHLAND TOWNSHIP'S 175TH ANNIVERSARY AND THE FIRST ANNUAL RICHLAND COMMUNITY DAYS

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 31, 2008*

Mr. MURTHA. Madam Speaker, I rise today to acknowledge Richland Township in Cambria County, Pennsylvania, as it celebrates its 175th Anniversary and to commend the township on its first annual Richland Community Days.

Madam Speaker, Richland's history dates back to the second half of the 18th Century when the area was still part of Bedford County. Some of the area's earliest settlers were the Adams family, which included Samuel, Rachel, and Solomon. Their legacy lives on through the various landmarks in the area that were named after the members of the family. Richland Township was officially formed in

1833 out of land from Conemaugh Township in the new Cambria County. The township was given the name of "Richland" because of the quality of its land.

Over the last 175 years, Richland Township has seen tremendous growth, and, in the last 2 decades in particular, has transformed itself into a hub of commercial, educational, retail, and high-tech opportunities. I'm proud of these accomplishments and I look forward to working to ensure continued growth and a brighter future for both Richland and our region.

The Richland Community Days are an extraordinary way for the citizens of Richland to recognize their township's history as well as to look forward to its future. Madam Speaker, I finish my remarks by congratulating Richland Township on its 175th Anniversary and to recognize the many volunteers who have worked hard to make the first annual Richland Community Days a success.

#### PROVIDING FOR PATENT AND TRADEMARK JUDICIAL APPOINTMENTS

SPEECH OF

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 29, 2008*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of S. 3295, to amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges. S. 3295 amends both the Patent Act and Lanham Act with regard to administrative judge appointments. I support the bill and I encourage my colleagues to do likewise.

S. 3295 proposes that the Secretary of Commerce, in consultation with the PTO Director, appoint administrative patent judges and administrative trademark judges. H.R. 6362 also states that the Secretary of Commerce may deem the appointment of an administrative patent judge or administrative trademark judge who previously held office pursuant to an appointment by the PTO Director to have taken effect on the date when the administrative patent judge or administrative trademark judge was originally appointed by the PTO Director. Additionally, the bill creates a defense to a constitutional challenge of an administrative patent judge or administrative trademark judge appointment, declaring that the administrative patent judge or administrative trademark judge was acting as a de facto officer after being appointed by the PTO Director.

Before March 2000, administrative patent judges were appointed by the Secretary of Commerce. In November 1999, new legislation gave the appointment power to the director of the PTO. That legislation took effect on March 29, 2000. Since then 47 of the 74 administrative patent judges currently serving on the Board of Patent Appeals and Interferences were appointed by the director of PTO.

S. 3295 is necessary because it creates a defense to constitutional challenge of an administrative patent judge or administrative trademark judge's appointment. This bill was introduced in response to several challenges.

In those challenges, parties are contesting the validity of the Board of Patent Appeals and Interferences decisions based upon the alleged unconstitutionality of the appointment of certain administrative patent judges who participated in those decisions. The challengers argue that the director of the PTO does not have the power of appointment under Article 2 of the Constitution. If courts hold these appointments unconstitutional, the effects could be widespread, affecting potentially thousands of patents and patent applications. This situation alone would lead to a greater patent backlog. The PTO already faces what seems to be an insurmountable patent backlog.

Specifically, this challenge creates arguments for patent applicants whose patent application rejections were affirmed by the Board of Patent Appeals and Interferences, as well as a potential defense for patent litigants where the patent in suit resulted from the Board's overturning an examiner's final rejection. S. 3295 is necessary to preserve the integrity of the administrative patent judge and administrative trademark judge appointment system.

I support this Act and encourage my colleagues to support it also.

#### INTRODUCTION OF THE COM- PENSATION AND RESPECT FOR ENERGY WORKERS ACT "CARE ACT"

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 31, 2008*

Mr. UDALL of Colorado. Madam Speaker, today I am introducing a bill to improve the workings of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).

The bill, cosponsored by my Colorado colleague, Mr. Perlmutter, is entitled the Compensation and Respect for Energy Workers Act (or "CARE Act").

It is similar to legislation with that title introduced in the Senate by Senator SALAZAR, but unlike the Senate version it also includes a section that would amend the EEOICPA to expand the number of former workers at the Rocky Flats site in Colorado covered by the "special exposure cohort" provisions of that law. This part of the new bill is identical to section 3 of H.R. 904, which I introduced with Mr. PERLMUTTER last year.

The Energy Employees Occupational Illness Program Act (EEOICPA) was enacted to compensate American workers (and certain survivors) who put their health and life on the line to serve our Nation during the Cold War. Among them were thousands of Coloradans who worked at Rocky Flats as well as some other sites covered by the EEOICPA law. Many of them developed beryllium disease, cancer, or other ailments from being exposed to beryllium, radiation, or other hazards.

When I was first elected to Congress, I began working with colleagues in the House and Senate—on both sides of the aisle—to provide a measure of justice for them and those with similar problems who worked at other nuclear-weapons sites.

Before the Clinton Administration, the federal government had resisted paying claims

filed by injured workers. But, led by Bill Richardson as Secretary of Energy, the Clinton Administration took a different position and asked Congress to establish a compensation program.

That prompted me and other Members to introduce legislation to accomplish that objective. And I was among those who strongly supported the EEOICPA provisions that were finally enacted into law in 2000.

But the next year brought a new Administration that, regrettably, has not been as strong an advocate of the program as its predecessor. In fact, after the Bush Administration inherited this program, they have both mismanaged it and tried to undermine it. They seemed not to realize that this is not just about money, but about the honor of the United States.

With other supporters of the program, I have worked to get the Administration to improve its implementation—and I will continue to do so.

But I also have worked to correct problems with the EEOICPA law itself—and the bill I am introducing today is part of that ongoing effort.

While many people have received benefits under the Program, too many face incredible obstacles as they try to demonstrate that they qualify. More than 8 years after enactment, workers have died without receiving the healthcare or compensation they deserve. In fact, a combination of missing records and bureaucratic red tape has prevented many workers from accessing any compensation for their serious illnesses.

The CARE Act is designed to expand the category of individuals eligible for compensation, improve the procedures for providing compensation and transparency, and grant the Office of the Ombudsman greater authority to help workers.

Toward that end, the first 10 sections of the bill would:

Expand the list of cancers for which individuals are eligible to receive compensation—this would be done by amending the relevant part of another law, the Radiation Exposures Compensation Act (RECA) because EEOICPA adopts that law's list by reference.

Require the Department of Labor (DOL) to pay a claimant's estate should a claimant die after filing their claim but before receiving payment and leave no survivors.

Expand the duties of the Office of the EEOICPA Ombudsman to include the ability to provide information to claimants on benefits available under Part B.

Grant the Ombudsman the authority to contract for expert services to assist in the execution of its duties (e.g., individuals with expertise in health physics, medicine and toxicology).

Require DOL to provide the public with access to the "site exposure matrix" and any other databases or site profiles used to evaluate claims for compensation.

Expand the statute of limitations to 1 year to provide ample time for workers whose claims have been denied to file a petition in federal court.

Require any federal agency with jurisdiction over the program to provide information to claimants in easily understandable language and, if a claim is denied, provide claimants with a detailed, written explanation of all reasons for the denial and the additional documents, evidence, or information necessary to meet the burden of proof on appeal.