

Salt Co. The two men liked to get together and engage in the high art of Southern storytelling. Both formed strong friendships with other men in the Somerset community.

"Dad and Onion Eastham were part of a group of men who convened initially at Dad's car lot out on East Mt. Vernon Street, then at Dad's automotive parts store on Ogden Street in the building now owned by Dr. Byron Owens," Dr. Jones said.

"After Dad retired from Fram, he devoted most of his time to the automotive business and our family's rental properties," Dr. Jones continued.

"When Dad closed the automotive parts store housed in the same building with Mother's antiques and collectibles, he and his buddies met for coffee at the Sugar Shack over on the strip," she said.

Meeting for coffee was part of their "daily routine," said Jimmy Eastham.

From time to time, the group also included Bobby Claunch, Howard Eastham, Ledger Howard, Penny Starnes, Don Stone, Jim Williams and Bob Williams in addition to Reid Jones and Onion Eastham.

Like his father, Jimmy Eastham served as a member of Somerset City Council. He and the Eastham family have given their enthusiastic endorsement to the Reid S. Memorial Fund with Dr. Jones' cornerstone contribution in memory of James "Onion" Eastham.

"It is a good idea to establish the fund even if it weren't done in the name of my father," Eastham said.

Both Reid Jones and James Eastham were "very patriotic," according to Virginia Eastham, mother of Jimmy, Lisa (Bandy) and Wayne Eastham.

When Reid Jones returned from the war, he worked first as a teacher and principal in the Pulaski County and Somerset City school systems. He is remembered, particularly by former students at Shopville High School as a firm teacher who was not afraid to exercise discipline when he thought it was needed.

Later, in the 1960s, he joined Fram Corp., based in Providence, RI, as a district sales manager. Frequently, he was recognized for exceeding sales quotas. He was instrumental in placing Fram products in Wal-Marts across the southeastern United States.

Reid Jones was a 32nd degree Mason and a member of Oleika Shriners Temple in Lexington. He served on the board of directors of First United Methodist Church.

In addition to being an influential member of Somerset City Council, James "Onion" Eastham was a member of the Somerset Masonic Lodge #111 and a long-standing member of the Kiwanis Club. He was also a member of First Baptist Church where he taught Sunday school and served as chair of a building committee for the church's new sanctuary.

As a member of Somerset City Council from 1964 to 1982, Eastham played an active role in helping to establish Somerset Community College and finding a location for what is now Lake Cumberland Regional Hospital. He considered running for mayor, but his job as a regional salesman for Morton Salt Co. created time constraints that caused him not to seek office.

According to Clarence Love, city clerk during the years Eastham served on council, "he was very conscientious." In Love's opinion, Eastham was an "excellent councilman."

Jimmy Eastham said he thought his father most likely would be remembered most for "standing for what he believed in."

The Reid S. Jones Memorial Fund was established, first and foremost, to help veterans with educational issues.

"A veteran might return from Afghanistan ready to go to law school and need some assistance," Dr. Jones said. "Or, a veteran

might return and want to become a law enforcement officer or a mechanic."

As interest on the fund grows, money will be awarded to veterans who demonstrate great potential for success in professional and vocational arenas.

Primarily, the Reid S. Jones Memorial Fund intends to honor "the warrior spirit," Dr. Jones said, "the spirit of courage and bravery" that has helped to keep the United States free.

The Reid S. Jones Memorial Fund is now open for tax-deductible contributions. Interested parties may e-mail Dr. Jones at: djones@jonesfoundation.net or phone her at 606-875-2967.

AMERICA INVENTS ACT

Mr. LEAHY. Mr. President, Congress has been working on the America Invents Act going back many years. It has gone through numerous iterations and changes have been made over time. Accordingly, I want to take a few minutes to discuss some important legislative history of a critical piece of this bill—section 2 of the legislation, which amends section 102 of title 35 of the United States Code. There has been a great deal of attention paid to subsections 102(a) and (b) and how those two subsections will work together. Senator BENNET and others have asked about this issue in particular.

Mr. HATCH. I thank the Senator. I agree with the chairman that it is important that we set down a definitive legislative history of those subsections, which will be important for each and every patent application.

Mr. LEAHY. One key issue on which people have asked for clarification is the interplay between patent-defeating disclosures under subsection 102(a) and the situations where those disclosures are excepted and have no patent-defeating effect under the grace period provided in subsection 102(b).

In particular, some in the small inventor community have been concerned that a disclosure by an inventor might qualify as patent-defeating prior art under subsection 102(a) because, for example, the inventor's public disclosure and by a "public disclosure" I mean one that results in the claimed invention being "described in a printed publication, or in public use, on sale, or otherwise available to the public"—might in some situation not be excluded as prior art under section 102(b)'s grace period. There is absolutely no situation in which this could happen given the interplay between subsections 102(a) and 102(b) as these subsections are drafted.

We intend that if an inventor's actions are such as to constitute prior art under subsection 102(a), then those actions necessarily trigger subsection 102(b)'s protections for the inventor and, what would otherwise have been section 102(a) prior art, would be excluded as prior art by the grace period provided by subsection 102(b). Indeed, as an example of this, subsection 102(b)(1)(A), as written, was deliberately couched in broader terms than subsection 102(a)(1). This means that

any disclosure by the inventor whatsoever, whether or not in a form that resulted in the disclosure being available to the public, is wholly disregarded as prior art. A simple way of looking at new subsection 102(a) is that no aspect of the protections under current law for inventors who disclose their inventions before filing is in any way changed.

Mr. HATCH. The Senator from Vermont is correct. For the purposes of grace-period protection, the legislation intends parallelism between the treatment of an inventor's actions under subsection 102(a) that might create prior art and the treatment of those actions that negate any prior-art effect under subsection 102(b). Accordingly, small inventors and others will not accidentally create a patent-defeating bar by their pre-filing actions that would otherwise be prior art under subsection 102(a) as long as they file their patent applications within the grace period provided by subsection 102(b). But, the important point is that if an inventor's disclosure triggers the 102(a) bar with respect to an invention, which can only be done by a disclosure that is both made available to the public and enabled, then he or she has thereby also triggered the grace period under 102(b). If a disclosure resulting from the inventor's actions is not one that is enabled, or is not made available to the public, then such a disclosure would not constitute patent-defeating prior art under 102(a) in the first place.

But even if the disclosure was enabled and available to the public so that it did qualify as prior art under subsection 102(a), subsection 102(b) would require that the disclosure be disregarded if it occurred during the 1-year grace period before the patent was sought. Indeed, a disclosure that does not satisfy the requirements to be prior art under subsection 102(a), nonetheless constitutes a disclosure that is fully protected under the more inclusive language of subsection 102(b). This relationship between these subsections will fully protect the inventor and, together with the provisions of subsection 101 limiting patenting to inventors, prevent others from obtaining a patent on the inventor's creation.

Mr. LEAHY. I agree. One of the implications of the point we are making is that subsection 102(a) was drafted in part to do away with precedent under current law that private offers for sale or private uses or secret processes practiced in the United States that result in a product or service that is then made public may be deemed patent-defeating prior art. That will no longer be the case. In effect, the new paragraph 102(a)(1) imposes an overarching requirement for availability to the public, that is a public disclosure, which will limit paragraph 102(a)(1) prior art to subject matter meeting the public accessibility standard that is well-settled in current law, especially case law of the Federal Circuit.

Mr. HATCH. An additional clarification we have been asked about deals

with subparagraph 102(b)(1)(B). There has been some confusion over how this provision will work. It is my understanding that this provision ensures that an inventor who has made a public disclosure—that is, a disclosure made available to the public by any means—is fully protected during the grace period. The inventor is protected not only from the inventor's own disclosure being prior art against the inventor's claimed invention, but also against the disclosures of any of the same subject matter in disclosures made by others being prior art against the inventor's claimed invention under section 102(a) or section 103—so long as the prior art disclosures from others came after the public disclosure by the inventor. Is that the Senators' understanding of this provision?

Mr. LEAHY. That is correct. Subparagraph 102(b)(1)(B) is designed to work in tandem with subparagraph 102(b)(1)(A) to make a very strong grace period for inventors that have made a public disclosure before seeking a patent. Inventors who have made such disclosures are protected during the grace period, not only from their own disclosure, but also from disclosures by others that are made after their disclosure. This is an important protection we offer in our bill that will benefit independent and university inventors in particular.

HONORING OUR ARMED FORCES

SPECIALIST JOSHUA R. CAMPBELL

Mr. BENNET. Mr. President, it is with a heavy heart that I rise today to honor the life and heroic service of SPC Joshua R. Campbell. Specialist Campbell, assigned to the 546th Transportation Company, based in Fort Bragg, NC, died on January 29, 2011, of injuries sustained when an improvised explosive device detonated near his vehicle. Specialist Campbell was serving in support of Operation Enduring Freedom in Helmand Province, Afghanistan. He was 22 years old.

A native of Bennett, CO, Specialist Campbell enlisted in the Army in 2008. He served a tour of duty in Afghanistan, during which his commanders recognized his extraordinary bravery and talent. Specialist Campbell's decorations include the Army Good Conduct Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, and the NATO Medal.

During his 2 years of service, Specialist Campbell distinguished himself through his courage, dedication to duty, and absolute commitment to his fellow soldiers. Fellow soldiers remember him as a consummate professional with an unending commitment to excellence. They remember his generous character and positive disposition.

Specialist Campbell's family remembers him as a dedicated son, husband, and father. They also remember him as someone always willing to reach out and help others.

Mark Twain once said, "The fear of death follows from the fear of life. A

man who lives fully is prepared to die at any time." Specialist Campbell's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

At substantial personal risk, he braved the chaos of combat zones throughout Afghanistan. And though his fate on the battlefield was uncertain, he pushed forward, protecting America's citizens, her safety, and the freedoms we hold dear. For his service and the lives he touched, Specialist Campbell will forever be remembered as one of our country's bravest.

To Specialist Campbell's entire family—I cannot imagine the sorrow you must be feeling. I hope that, in time, the pain of your loss will be eased by your pride in Joshua's service and by your knowledge that his country will never forget him. We are humbled by his service and his sacrifice.

INTERNATIONAL WOMEN'S DAY 2011

Mr. CARDIN. Mr. President, I rise today to express my support for International Women's Day.

Since the beginning of last century, determined and courageous women have fought hard and made important strides towards ensuring that women are guaranteed equality and basic human rights. Too often in the past, women were seen as victims that needed to be protected or saved. But today, on the 100th anniversary of International Women's Day, women should be viewed as they really are: farmers, entrepreneurs, businesswomen, teachers, policewomen, caretakers, doctors, lawyers, politicians, mothers, wives, astronauts and presidents.

While we should reflect on incredible progress that women have made in pushing for greater rights and equal opportunities, we must be vigilant about the facts on the status of women around the world. We know women are still being discriminated against; still being abused; and still being treated unjustly. We know about the trafficking of young women and girls; the lack of maternal health care; the lack of access to an education or basic economic opportunities. These are the facts.

What we also know is that empowering women around the world to participate in the political, social and economic life of their communities and their families is one of the most important tools that we have to alleviate poverty. Decades of research and experience prove that when women are able to be fully engaged in society and hold decision making power, they are more likely to invest their income in food, clean water, education, and health care for their children. This creates a positive cycle of change that lifts entire families, communities and nations out of poverty. Simply put, when women succeed, we all do.

Right now, over a billion people worldwide live on a dollar a day or less let's be conscious of the fact that women are most likely to be among them. This is a problem that affects all of humanity—when women are poor, entire communities suffer because they are not free to earn an income, feed their families, or protect themselves and their children from violence. And their efforts are critical to rebuilding fragile countries like Afghanistan and Haiti. Until women around the world have improved access to economic, political and social opportunities, the great challenges we face today will go unresolved.

Many people do not realize is that violence against women and girls is a major source of poverty. Violence and poverty go hand and hand. Violence prevents women and girls from getting an education, going to work, and earning the income they need to lift their families out of poverty. We know that one in three women will be the victim of physical or sexual abuse in her lifetime. But we also know that women have the potential to lift families and communities out of poverty.

And this undeniable connection means that we cannot ignore or sacrifice women's rights for political expediency. If meaningful reforms for women are rolled back or not implemented at all, particularly in places like Afghanistan, real and sustainable development will fail. Although conditions for women in Afghanistan have improved since the fall of the Taliban in 2001, they still face serious challenges in many aspects of life. And we cannot accept the status quo that women face in many of these countries as the "cost of doing business." The U.S. government must continue to press the fundamental values of the rights of women—to vote, to attend school, to own land, to live their lives without violence, to make their own choices—if we expect to see a sustainable peace in Afghanistan.

Even in countries not in a state of conflict, women's equality and access can make the difference between life and death for her family. Janet Wamalwa owns a 1-acre farm plot in rural Kenya that used to lay bare and was difficult to cultivate. Like many areas of sub-Saharan Africa, her land was plagued by soil erosion and low productivity. And for a subsistence farmer like 32-year-old Janet, when her crops don't grow, her family doesn't eat. And when the mother of five could not make ends meet, the first cost-savings remedy was to pull the children from their studies. To save money, Janet said that they lived on one meal a day during the dry season.

But no more. Today, Janet's crops are thriving and her family is eating better because of several sustainable farming techniques she implemented with the help of an international NGO and Kenya's Ministry of Agriculture. Janet's approach is just one example of how small-scale farmers in Africa—