

to the rate that these companies have had to pay to obtain Mexican currency. While the wire service companies obtain pesos at a rate that closely matches an established benchmark rate, the companies distribute pesos to their customers at a far lower rate.

The difference between those two figures represents a source of additional income to the companies and an additional cost to the consumer—one which is not disclosed.

Before transferring money, many customers research the current benchmark exchange rate to find out how many Mexican pesos can be obtained for their U.S. dollars. However, customers are not informed that the wire transfer companies fail to abide by that benchmark rate, and establish their own conversion scheme allowing them to pocket additional money.

A benchmark exchange rate is set daily by Banco De Mexico. While this figure is an unofficial rate, those entities doing the largest share of business converting U.S. dollars to Mexican pesos—such as major financial institutions, markets, government agencies, and the wire transfer companies—generally receive a rate which closely matches the daily benchmark rate.

On the other hand, Western Union and MoneyGram arbitrarily set a different exchange rate for their customers—one which has been found to routinely vary from the benchmark rate by as much as 12 percent.

These “currency conversion fees” allow the companies to post huge profits. According to one analysis of figures, Western Union alone made an additional \$130 million based on the conversion scheme—roughly equivalent to the amount that the company made for the service fees.

In other words, this hidden practice allows the company to virtually double the money it is making off of the Mexican community.

The wire transfer companies allege that this is a legitimate and common practice. The fact is, however, that other major companies and institutions which convert dollars into pesos follow more closely the benchmark exchange rate which is set daily by the Banco de Mexico, often matching the benchmark rate exactly when providing services to their customers.

The wire transfer companies are wrong, therefore, when they claim that this represents a “common” business practice.

How does the rate affect an individual customer? One day late last year, the benchmark exchange rate was listed as 8.3 pesos to the dollar. On the same day, both Western Union and MoneyGram were offering customers 7.3 pesos to the dollar. As a result, for every \$100 transferred, the customer (or the recipient) would lose an additional \$12 dollars—on top of service fees.

This practice targets a particular community. When a comparison is made of transfers to various counties, this practice appears aimed at Mexican immigrants and their families in particular. For example, on a recent occasion, the exchange rate which MoneyGram set to convert U.S. dollars to Mexican pesos was three times more costly than the rate for changing U.S. dollars into Canadian currency.

Specific advertisements (misleading as they are) are aimed at the Mexican market. One MoneyGram advertisement claims (falsely): “Send \$300 to Mexico for \$14.”

The company's tactics in the wake of Hurricane Pauline have been cited as further evi-

dence of a trend of seeking to make additional money by misleading the Mexican-American community.

Lawsuits have been filed in federal court in California claiming the companies have engaged in false advertising and charging hidden fees. Likewise, a class-action lawsuit will also be filed in federal court in Chicago next week.

I am introducing today legislation aimed at curbing the wire transfer companies' tactics which they have used to take advantage of their customers. My legislation would require the wire transfer companies to fully disclose their practices to their customers, thereby making sure that such “hidden” costs are brought to light.

This bill would require companies to list—and to reasonably explain—their own currency conversion rates on all advertisements, forms and receipts provided to customers, and in display windows or at service counters in all establishments offering international wire transfers.

Failure to comply could lead to criminal penalties and civil liabilities of at least \$500,000. I am entitling my bill the “Wire Transfer Fairness and Disclosure Act of 1998.” I welcome the support of my colleagues who wish to join me in protecting consumers in our communities.

#### IN HONOR OF THE ANNANDALE LIONS CLUB

**HON. TOM DAVIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 1998*

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to pay tribute to the Annandale Lions Club, a truly outstanding organization that has served Annandale, Virginia for fifty years. The Club overcame initial obstacles to become a great fixture in our community, providing valuable support wherever the Lions saw a need.

The Annandale Lions Club received its Charter in 1948 when Annandale was a tranquil rural community. The Club was off to a rocky beginning. By the end of the first year, membership had waned from thirty to twelve members, meeting attendance was poor, and the club's finances were in disarray. The Club's future looked precarious as Lions International District leadership discussed revoking the Club's Charter.

The Club's remaining members, along with several new members rallied in a valiant effort to save the Club. Under the new leadership of Erskine “Erk” Worden as President and Victor Ghent as Secretary-Treasurer, the Club began a legacy of service to the community which continues to this day.

Throughout its fifty year history, the Annandale Lions Club has embraced the Lions philosophy of “We serve”. The Club's numerous activities have benefited youth, community betterment, and healthcare. Noteworthy projects from the early years include providing playground equipment and furnishing a clinic for the old Annandale Elementary School, the endowment of a then-maternity ward at Fairfax Hospital, supplying yellow school patrol raincoats with hats or hoods to twelve or thirteen elementary schools, supplying bleacher seats to Annandale High School when it opened in 1953, and later providing financial help with the athletic field lighting system.

Many projects helped transform rural Annandale to the bustling suburban area it is today. During the early years, the Club provided a map to the local Fire Department to facilitate prompt responses to emergencies. The map was updated yearly to reflect Annandale's rapid growth. In 1959, the Lions embarked on a project to install street signs at all unmarked intersections, until the County began to install street signs County-wide about six years later.

Around 1960, the Annandale Post Office and Annandale Fire Department were in need of a street numbering system to aid in locating houses. Lion Merlin “Mac” McLaughlin, a land-surveyor then in private practice, volunteered to work with the Postmaster to develop a house numbering system for the entire Annandale postal area that could accommodate urban growth. Fairfax County implemented the 9-1-1 system in 1970 requiring that houses be numbered. Due to the effective system that the Lions Club had created, Annandale was allowed to retain the existing house numbers and the system was expanded throughout the County.

As the community changed and evolved over the years, the Club's service activities have adjusted to meet the changing needs and priorities of the community. Some of the numerous Club projects over the years include sponsoring or co-sponsoring a scout troop, sponsoring ball teams in Little League and Babe Ruth League, constructing the children's playhouse at the Annandale Christian Community for Action's (ACCA) Day Care Center and landscaping the ACCA Elder Care Center, providing Leader Dogs and service dogs to community members, collecting and sending food and clothing to disaster areas around the country, and providing chairs and landscaping to the George Mason Library. In addition, the Annandale Lions Club supports a number of projects benefiting sight and hearing screening and research, including the Virginia Lions Eye Institute for which they recently purchased a Fundus camera to take Fluorescein angiograms of the retina.

Mr. Speaker, I know my colleagues join me in thanking each and every Annandale Lion for their hard work and dedication to helping others in making Annandale a great place to live. I wish the Annandale Lions Club continued success in all of its future endeavors.

#### TRIBUTE TO PAUL KORBER

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 1998*

Mr. GALLEGLY. Mr. Speaker, I would like to pay tribute today to Paul Korber, a hero who lost his life while saving a mother and her two sons stranded in the rough waters of the Ventura Harbor. Paul Korber, a harbor patrol officer in Ventura County, California, ignored the dangers which took his life to save three others.

The rescue was not an uncommon one for Paul Korber. He often risked his own safety to help those in danger—his job was to save lives. But that day the tides were not in his favor and he died in the line of duty, an unselfish chance he often took.

Paul Korber was known as a fitness advocate and could usually be found on a mountain bike, camping or freediving to spear fish.

Paul was a man who embraced life and who enjoyed a good adventure. Friends of Paul Korber have said he was a positive person who was always looking for ways to improve himself, whether it was learning a foreign language or staying physically fit.

But besides being a hero and an athlete, Paul Korber was a success at one of life's biggest challenges—he was a single father. After Paul's wife, Cindy, died of cancer three years ago, Paul was faced with raising his son, Barrett, on his own. Paul and Barrett were very close, taking camping trips, bike riding and fishing together. Paul always found time for his young son, even helping out at Barrett's school.

Paul Korber was a great father, an outstanding athlete, and a hero. His bravery and selflessness will always be remembered with gratefulness by the many lives he saved and with fondness by the many lives he touched.

THE "UNITED STATES PATENT  
AND TRADEMARK OFFICE AU-  
THORIZATION ACT, FY 1999"

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 1998*

Mr. COBLE. Mr. Speaker, today I am pleased to introduce the "United States Patent and Trademark Office Authorization Act for Fiscal Year 1999," which contains the first actual decrease ever in patent user fees for our nation's inventors.

The introduction of this legislation follows a hearing the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary held last month in exercise of its oversight responsibilities concerning the operations of the U.S. Patent and Trademark Office ("PTO"). The Subcommittee heard testimony from witnesses representing the Administration, PTO users, and PTO employee unions. This hearing covered the PTO's budget, including how its fee revenues are collected and spent, the expiration of the patent surcharge fee, the diversion of PTO funds to other government agencies, and other relevant issues.

The Administration announced that in light of the lapsing of Section 10101 of the Omnibus Budget Reconciliation Act of 1990 ("OBRA"), the patent fees established under subsections 41(a) and (b) of title 35 of the U.S. Code would revert to their pre-OBRA level. It was stated that, unless adjusted, the fee would fall \$131,526,000 short of the amount the PTO needs to execute the program recommended by the President in his FY 1999 budget. To compensation for this reduction in fees revenues, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks Bruce Lehman stated that an increase was needed in the base patent fees in an amount equal to the reduction in revenue which result from the lapsing of the surcharge authority.

While I and other Members of the Subcommittee are very supportive of ensuring that the PTO is adequately funded to provide the services requested by patent and trademark applicants, the Administration's request received by the Subcommittee would actually raise \$50 million more than the amount the President stated in his budget the PTO will

need in FY 1999. Commissioner Lehman explained that this revenue, along with \$66 million from FY 1998, would be used to fund other government agencies and programs. This continuing diversion of PTO fee revenues was strongly opposed by inventors and the trademark community, who pay for patent and trademark applications to fund only the services they receive from the PTO.

The Patent and Trademark Office is 100 percent funded through the payment of application and user fees. Taxpayer support for the operations of the Office was eliminated in 1990 with the passage of OBRA. OBRA imposed an massive fee increase (referred to as a "surcharge") on America's inventors and industry in order to replace taxpayer support the Office was then receiving. The revenues generated by this surcharge were placed into a surcharge account. The PTO was required to request of the Appropriations Committee that they be allowed to use the revenues in the surcharge account to support the portion of its operations these revenues represented. It was anticipated in 1990 that Congress would routinely grant the PTO permission to use the surcharge revenue since it was generated originally from fees paid by users of the patent and trademark systems to support only the cost of those systems.

Unfortunately, the user fees paid into the surcharge account became a target of opportunity to fund other, unrelated, taxpayer-funded government programs. The temptation to use the surcharge, and thus a significant portion of the operating budget of the PTO, was proven to be increasingly irresistible, to the detriment and sound functioning of our nation's patent and trademark systems. Beginning with a diversion of \$8 million in 1992, Congress increasingly redirected a larger share of the surcharge revenue, reaching a record level of \$54 million in FY 1997. In total, over the past seven fiscal years, over \$142 million has been diverted from the PTO to other agencies and programs.

Mr. Speaker, the time has come for Congress to stop diverting the fees of inventors and trademark applicants to fund other taxpayer-funded government programs. Accordingly, in the United States Patent and Trademark Office Authorization Act, FY 1999, I am proposing a schedule of fees that would recover only the amount of money which the Administration has stated it needs to execute the program recommended by the President for the PTO in FY 1999 and FY 2000. This legislation not only fully funds the stated needs of the PTO, it will provide a real decrease in fees paid by patent applicants—the first actual decrease in fees in at least the last fifty years, indeed, perhaps since the patent system was established in 1790.

The decrease in fees provided by this legislation will provide tangible assistance to America's inventors, while ensuring that they get their monies worth, especially since their creativity and ingenuity are so crucial to the welfare of our nation.

I urge my colleagues to join me in authorizing one of our country's most important agencies in a manner that responds fully to both the stated needs of the Office and its users.

TRIBUTE TO BILLY SULLIVAN

**HON. JOSEPH P. KENNEDY II**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 1998*

Mr. KENNEDY, of Massachusetts. Mr. Speaker, I always thought Billy Sullivan was immortal. And in a way, he was—always larger than life, always a giant in the eyes of our family, and in the eyes of everyone he met.

We miss him very much. We know what an immense loss this is to Mary, to his children Chuck, Billy, Patrick, Jean, Kathleen, and Nancy, to his sisters Tess and Eleanor, to the grandchildren, to the extended family he loved so much, and to all of us as well. Billy Sullivan was a great man who accomplished a great deal in his life. But he could not have risen as high and never gone as far without the enduring love and sustaining support of that beautiful, wonderful Sullivan family.

He was Irish to the core, and it seems obvious that God wanted Billy in Heaven for St. Patrick's Day.

We loved Billy for the little things—the endless, last-minute envelopes in response to our sudden calls, because we all had friends who just had to be at the Patriots game on Sunday.

We know the special place of the Jimmy Fund in Billy's heart and soul. We know how much it meant to him—and we in turn often thought of it as the Billy Fund.

To countless New Englanders, Billy Sullivan was the greatest Patriot of all, and the man who brought pro football to Boston. We'll never forget that bright figure will the map of Ireland on his face pacing up and down the sideline in whichever stadium he happened to be calling home that day.

As a teenager, I remember Billy drenched in Harvard Stadium as the Dolphins played the Patriots in a New England monsoon, the end zone completely under water. I remember cheering for Jim Nance as Billy's great running back set a rushing record in a playoff in Fenway Park.

He meant the world to our family. The Billy Sullivan I remember most was the oil company president who welcomed me with open arms and offered his support and advice when I came to him a quarter century ago with a half-baked plan to help the poor and elderly heat their homes during the winter months.

My Dad used to say, "Some people see things as they are and say why, I dream things that never were and say why not?" That's the way I think of Billy Sullivan, too.

In an industry full of good old boys who didn't particularly want to help a young fellow with a different idea about oil, Billy welcomed me into his office and told me the story of his own impossible dream.

No matter how many defeats he had suffered in life, he always came back, again and again and again. And that trademark smile made you believe that he loved every minute of it—because he knew, if he tried once more, he would finally achieve the happy ending he knew was out there. You could never walk out of Billy's office without believing your own highest dream was possible, too. There could never have been a Citizens Energy Corporation without Billy Sullivan.

I know that Michael felt that way, too, and now they're together in Heaven.