

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.

In a very real sense, the man from hard-scrabble Lowell was "Everyman"—living the hard daily struggle of the Irish in his early years, battling the prejudice of "No Irish Need Apply," and never forgetting those glorious roots.

And later, as president of Metropolitan Coal and Oil, Billy understood better than anyone the struggle of so many customers to keep a roof over their heads, put three meals a day on the table, and keep their families warm.

My mother served on the board of NFL Charities with Billy. Once, they worked hard together to obtain the support of other board members for one of Billy's many charities. They succeeded beautifully, and a check was duly prepared for a dramatic presentation at an NFL halftime show.

Until a little problem materialized—it turned out that Billy's project hadn't taken the steps to qualify for a tax deduction. Billy knew there was no problem with the charity—the problem had to be with the IRS.

On another occasion, my mother was at LaGuardia Airport, about to drive to Greenwich, Connecticut, with a lawyer bent on pressing her on a complex legal problem. By chance, Billy arrived on the scene, say my mother in distress, and insisted on joining her for the long ride to Greenwich. Every time the lawyer tried to bring up the legal problem, Billy the raconteur broke in, launching into yet another wild and funny Sullivan story that left my mother laughing and the lawyer fuming.

In so many ways, Billy was a member of our family, too. He'd regale us with stories about his father's friendship with the Fitzgeralds, with Honey Fitz.

Over the years, during some of the most trying moments of my life, I would get a long, hand-written letter from Billy, offering comfort and wisdom, lighting the way ahead. That was vintage Billy—always guiding, always reaching out, always helping, always caring.

Above all, there was this magnificent family which sustained him and which is his greatest monument of all—Mary, the great joy of his life; Tess and Eleanor, the sisters whose independence and strength he so admired; Chuck and Patrick, who did so much to build the team of his dreams; Jeannie and Kathleen and Nancy, in whom he took such enormous pride; Billy, who made so much difference in his father's final years.

Near the end of "Pilgrim's Progress," there is a passage that tells of the death of Valiant, in words that apply to Billy Sullivan, too:

Then, he said, I am going to my Father's; and though with great difficulty I am got hither, yet now I do not regret me of all the trouble I have been at to arrive where I am. My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me, that I have fought his battle who now will be my rewarder.

When the day that he must go hence was come, many accompanied him to the river-side, into which as he went he said, "Death, where is thy sting?" and as he went down deeper, he said, "Grave, where is thy victory?" So he passed over, and all the trumpets sounded for him on the other side.

We loved you, Billy—we loved your marvellous loyalty, your beautiful love of family, your laugh that could fill our hearts with laughter, too, your giant Irish heart. We miss you, Billy, and we always will.

## HONORING MIKE NYE

**HON. NICK SMITH**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 1998*

Mr. SMITH of Michigan. Mr. Speaker, I rise to join the citizens of Hillsdale and Branch Counties to pay special tribute to our representative in the Michigan legislature.

So many people talk about the kind of leader they want to represent them in government and Mike Nye fits that definition by every measure.

This week, my friends in Hillsdale County will honor Mike Nye for his sixteen years of dedicated leadership in Lansing. They know, as I do, the few people have accomplished more in that time for the people of Michigan.

Mike Nye's retirement from the state legislature is a great loss. As a member of the House, he fought for commonsense legal reform and worked to provide better health care to poor children and was the innovator of reforms that have resulted in a better education system for Michigan. Mike Nye's improvements in court reform, school reform, tort reform, and juvenile justice reform will be a continuing legacy of his knowledge, ability and leadership in the Michigan legislature.

In an era of overheated rhetoric and blatant partisanship, Mike Nye stands out as a conciliator a legislator who brought people together. Mike Nye was often the man people turned to when they needed a leader to finalize and pass legislation.

Mr. Speaker, my colleagues and I here in Washington can learn a lot from the service of Mike Nye. His contributors to public policy are complimented by his and his wife, Marcie's dedication to their community. Marcie's leadership in working in the prison system with her Kids Need Moms program is a great example of their commitment to help people.

I know Mike's future contributions will be just as worthwhile to all of us, regardless of what path he may take. God bless you, Mike and Marcie and good luck.

## IN HONOR OF MR. WILFRED "RED" REED

**HON. MARION BERRY**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 1998*

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a wonderful man, Mr. Wilfred "Red" Reed.

Red was the perfect example of a good neighbor and friend. He was the kind of man that was always there when there was a need and was never concerned with drawing attention to his good deeds or claiming credit.

If children needed transportation to a school event or money for necessities, he was the first to make a donation. He had a habit of leaving ripe tomatoes on your door step with no note attached—he simply had more than he needed and wanted to share with others. It made no difference to him who needed assistance—the church, school, community, friends, or neighbors—he was there.

He never had anything but good to say about anyone or anything. If he ever had a negative thought, he kept it to himself.

He brought civility to any conversation or discussion that he was involved in and set a standard for good citizenship that will endure through generations.

Beloved and admired, Red will be missed by the community he lived in and served over these many years.

Of Red, the ultimate compliment can be given: he will be missed because he was a good man, and the world is a better place because he was here.

## IN HONOR OF THE NATIONAL TEACHER OF THE YEAR

**HON. THOMAS M. 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 Philip Bigler, the 1998 National Teacher of the Year. Philip is a history teacher at Thomas Jefferson High School for Science and Technology in Alexandria, Virginia.

The National Teacher of the Year Program is the oldest and most prestigious award to attract public attention to excellence in teaching. Philip is truly deserving of this great honor. For almost twenty years, he has captivated students by recreating history in the classroom. His students have experienced a polis of ancient Greece, cases argued before the Supreme Court, and pilgrims on the hajj to Mecca without ever traveling from the classroom. Outside the classroom, Philip's students have discovered history firsthand by interviewing residents of the Soldiers' and Airmen's homes about their experiences in the World Wars. Philip's most significant achievement as a teacher is his ability to instill a lasting love of history. His students learn to appreciate that civilization rests upon the foundations of the past and that they inherit a rich, intellectual legacy.

Philip's inspiration to teach was instilled by teachers from his own school years. His 8th grade teacher Mary Josephine taught him his love of learning, and in high school, a battle-hardened marine, Colonel Ralph Sullivan, showed him the rigor of academics and taught him a thirst for knowledge and reading. His love of history led him to take a break from teaching to serve as the historian at Arlington National Cemetery but his appreciation for the importance of teaching brought him back. He has spent his entire teaching career in the Greater Washington Metropolitan area. Philip and his wife Linda, who is also a teacher, share the great love of educating young minds.

Philip is also an accomplished author and has previously been honored with the Washington Post Agnes Meyer Outstanding Teacher Award, the Hodgson Award for Outstanding Teacher of Social Studies, and has twice been honored with the Norma Dektor Award for Most Influential Teacher from the Students of McLean High School and the United States Capitol Historical Society.

I know my colleagues join me in honoring Philip Bigler. Philip ignites a spark of enlightenment in each of his students, motivates their interest, and cultivates their minds. I have the highest appreciation for his dedication to teaching and inspiring our children.