

After World War II, marines were sent home to be congratulated by the President. The Montford Point Marines weren't even recognized for their service.

Decades after the doors opened at Camp Montford Point, in November of last year, Congress finally voted to award these honorable men with the highest civilian award in the United States because of their honorable and noble service to America. They were called to serve and they responded—nearly 20,000 strong.

Despite the poor treatment, despite the poor jobs, despite the substandard conditions, the Montford Point Marines served their country. Before all else, they were Americans. Archibald Mosley and his friends lived and breathed the Marine Corps motto, *Semper Fidelis*, "Always Faithful."

I am thankful that they did. I am also thankful that our Nation took the steps we did to ensure those brave Americans received the recognition they were denied for so many years.

Saul Griffin, Jr. and James France didn't live to see it, sadly, but Reverend Mosley and many of his fellow marines were able to make the trip to Washington this summer to receive the long delayed thanks from a grateful Nation.

ANNIVERSARY OF ENACTMENT OF THE LEAHY-SMITH AMERICA INVENTS ACT

Mr. LEAHY. Mr. President, Sunday marked the 1-year anniversary of the enactment of the Leahy-Smith America Invents Act. One year ago, I was pleased to stand on a stage at the Thomas Jefferson High School for Science and Technology in Virginia with House Judiciary Committee chairman LAMAR SMITH, Director of the U.S. Patent and Trademark Office David Kappos, Acting Commerce Secretary Rebecca Blank, and others. Together, we watched President Obama sign into law the most important changes to our Nation's patent laws in 60 years.

Many of the provisions of the legislation took effect on the 1-year anniversary, while other important changes, such as the shift to first-inventor-to-file, will take effect in 6 months. I commend the Patent and Trademark Office, PTO, for the work they have done, in a transparent manner, to prepare for the new procedures that take effect this week.

At its best, our patent system encourages exploration and invention, creating wealth, and providing jobs. Abraham Lincoln famously said that "the patent system added the fuel of interest to the fire of genius." But when patents are granted on unpatentable subject matter or on obvious creations already in use, they can be misused to stifle competition.

The new patent law will aid the PTO in separating the wheat from the chaff, weeding out low-quality patents that infect our system, and bolstering those

patents that truly advance "the progress of science and useful arts."

While the changes made by the patent bill were sweeping, I am under no illusion that they solved all the problems that confront our patent system. The assertion of patents is too often still used by patent trolls to extract payment even where there is not infringement of a valid patent because the cost of litigation makes settlement more expedient, and the "tech patent wars" among the large mobile phone companies show the perils to competition that can come when companies do not reach business-to-business resolutions of their patent disputes. But the improvements made by the Leahy-Smith America Invents Act will go a long way to making the system work better for inventors and implementers.

Enactment of the patent bill was more than a victory for American inventors, large and small; it was a demonstration that Congress can still work in a bipartisan, bicameral matter. I stood proudly on the stage 1 year ago with a Republican chairman of the House Judiciary Committee, watching the President sign a law on which Chairman SMITH and I had worked closely together for 6 years.

The legislative success of the patent bill shows what we can achieve when we put aside rhetoric and, instead, negotiate and collaborate in good faith. We held countless bipartisan, bicameral meetings, briefings, and discussions with all interested parties. We worked closely with Director Kappos, then-Secretary of Commerce Locke, and Members of Democratic and Republican leadership in both the Senate and the House of Representatives.

In short, the process that took the patent bill from the Congress to the President for his signature was one of which we can all be proud. In an increasingly partisan Congress, I was pleased to have the opportunity to lead a legislative process that was, from start to finish, both bipartisan and bicameral.

GENERAL CRAIG MCKINLEY

Mr. LEAHY. Mr. President, next month, a distinguished member of our Armed Forces will retire. I want to recognize and congratulate GEN Craig McKinley, who has spent the last 38 years in service to our country, and who has led the National Guard through a unique period of challenge, change, and triumph.

General McKinley's service began during another period of dramatic change. He received his commission as a distinguished graduate of the ROTC program at Southern Methodist University and entered undergraduate pilot training at Moody Air Force Base in Georgia in 1974. With the conclusion of military engagement in Vietnam, the nation's military leaders faced a number of questions, including the future role of the National Guard. These same questions would later guide Gen-

eral McKinley's efforts to lead the National Guard toward its current role as an operational force.

General McKinley has had a distinguished career, including assignments as an instructor pilot, the commander of the 125th Fighter Wing, the commander of the 1st Air Force, and the commander of the Continental United States Region of the North American Aerospace Defense Command. He served in the U.S. European Command and as Director of the Air National Guard. These assignments culminated in General McKinley earning his fourth star as Chief of the National Guard Bureau. He did all of this while logging over 4,000 flying hours in a wide range of aircraft and earning the rating of command pilot.

While I could reflect on many notable moments in General McKinley's career, I will never forget one in particular. It was November 10, 2011, when Senator LEVIN and Senator MCCAIN convened an historic hearing of all six sitting Joint Chiefs of Staff, the Department of Defense General Counsel, and General McKinley, to examine a proposal I had introduced to add the Chief of the National Guard Bureau to the Joint Chiefs of Staff. Despite the arguments against this change by all six sitting Joint Chiefs, General McKinley's measured and reasonable responses won the day. Ultimately, 71 senators came to agree with General McKinley and joined as cosponsors of what is known commonly as the second National Guard Empowerment Act. This bill became law in December 2011, and General McKinley was a decisive factor in this victory for the National Guard. Without his resolve to see the almost half a million men and women of the Guard represented at the top military panel in the national command structure, we would not have triumphed.

General McKinley has offered steady leadership to the Guard during a truly historic period. I am grateful to have had him as a partner. Without him, I doubt our nation would have the world-class operational reserve that we have today.

Congratulations, General McKinley. Best wishes to you, Cheryl, Patrick, and Christina as you retire to civilian life.

REQUEST FOR CONSULTATION

Mr. COBURN. Mr. President, I ask unanimous consent that my letter to Senator MCCONNELL dated September 19, 2012, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, Sept. 19, 2012.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding the Local Court-house Safety Act of 2012, S. 2076.