

including, but not limited to: paper work violations, duplicative inspections, and issuing citations as a performance bonus for inspectors.

Congress has made progress over the past several years in redirecting and refocusing OSHA toward a different approach that maximizes their resources while increasing the overall quality of safety in America's workplaces. Instead of focusing on enforcement alone, we have worked to expand consultation, partnership, and outreach programs offered by OSHA.

We can be grateful that workplace fatalities and workplace injury rates have declined and are now at the lowest levels since those records have been maintained. These record lows have even been achieved even though we are in the midst of a tight job market, a time in which injury rates have historically increased.

Still, any workplace death is too many. I want to join with my constituents in remembering those who died, and using this day to encourage employers and employees to renew their efforts to prevent future tragedies from occurring.

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#### INTRODUCTION OF THE PATENT FAIRNESS ACT

**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. McDERMOTT. Mr. Speaker, today I have introduced a proposal that encompasses three principles—fair play, equity and depoliticization.

The United States must do whatever possible to assure patent integrity, so we can continue to receive the desired public benefits from pharmaceutical research. Creating a fair and impartial process where an independent body can determine whether or not to restore lost patent life is a matter of fairness. It also is a matter of ensuring adequate incentives for research and development in the future.

In this case, several drugs were caught in a review process that took significantly longer than Congress anticipated. Thus, the patent life of certain of these "pipeline" drugs was reduced by an unintended consequence that had nothing to do with their medical safety.

There are two important questions: What type of process can we put in place to guarantee a fair and reasonable evaluation of the issues? And, what types of assurances should be embedded in this process to make sure it is equitable and removed from politics?

Our bill answers these questions. Our bill establishes a process that is fair, equitable, independent, separated from politics, and fully open to the public, and subject to judicial review. Let me expand on these features.

The bill establishes an independent and public review process within the U.S. Patent and Trademark Office. This would be a new administrative procedure—one that is fair and impartial. The experts at the Patent and Trademark Office are the right experts to hold a hearing about these issues, because these issues involve questions not of medical research, but legal issues involving patent life.

Within the office, a procedure would be established to review claims for patent term restoration to compensate for unanticipated

lengthy regulatory review of ten years or more in the FDA's New Drug Approval proceeding.

The process established by this legislation would be akin to a court hearing. Any company that believed its product was unintentionally deprived of patent protection would have the opportunity to present its case. Any other interested party would also be free to take its case. Both sides would be treated equally. Everything would occur in the open. The review board would be bound by objective criteria.

By turning over the issues to an independent panel of experts, the process would be driven by public policy objectives—not politics. This is an important point. Our bill is driven by the principle that it is best to take politics out of the equation, to de-politicize the process, to take Congress out of the job of deciding individual patent issues.

Finally, fairness and equity are assured by another provision. The decision would be subject to judicial review.

Another way to describe the legislation is to outline what it does not involve. There is no preferential treatment for any affected pipeline drug. There are no arbitrary decisions. There are no guarantees. Our bill is about process, not about answering a predetermined outcome.

We are convinced this is the right solution. As a medical doctor and psychiatrist, I have seen the benefits of breakthrough drugs and innovations. They truly can make people's lives better, and there is more to do.

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#### HONORING NATIONAL ADVANCED PLACEMENT SCHOLARS

**HON. BOB SCHAFFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. SCHAFFER. Mr. Speaker, I rise today to recognize one of Colorado's top high school students, Ms. Emily Brooks upon receiving a National Advanced Placement Scholar from the College Board. The academic achievement of Aaron places this student among the best young scholars in the nation.

Emily was one of only 1,451 students to earn the distinction of being named a National AP Scholar out of 635,000 students who took Advanced Placement (AP) exams in 1998. To qualify for this high honor, each scholar had to achieve grades of 4 or above (the top grade is 5) on at least eight AP exams and have accumulated the equivalent of the first two years of college prior to high school graduation. By choosing this most challenging curriculum, Emily can expect to attend any one of this nation's most demanding universities.

The College Board established the AP program in 1955 to challenge high school students with rigorous college-level academic courses. The program is recognized nationally for its high academic standards and assessments. In 1998, more than one million AP exams were administered in 32 different subject areas. Of the nation's 21,000 high schools, almost 12,000 currently offer at least one AP course.

Mr. Speaker, I invite my colleagues to join me in congratulating Emily Brooks. I hold this student up to the House, and to all Americans, as an example of the best of America's students.

HONORING MARTIN J. "MARTY"  
FORD FOR OUTSTANDING SERVICE TO THE COMMUNITY

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Ms. DeLAURO. Mr. Speaker, I am proud to stand today to pay tribute to my good friend Marty Ford who will be honored this evening by the Guilford Democratic Town Committee for his contributions to the Guilford community.

Like an illustration of a quaint New England town, Guilford is probably best known for its historic Town Green. Residents take great pride in the enchanting atmosphere of this growing community and work hard to maintain its unique character and charm. As a longtime resident of Guilford, Marty has devoted countless hours ensuring that the culture and history of the town is preserved. He has served ten years on the Planning and Zoning Commission, eight years on the Historic District Commission and sat on two Charter Revision Commissions. We commend his distinguished record of service.

The political arena has served as a forum for Marty's diligent work to promote the values and ideas that have guided him. For decades he has served as a strong political supporter for candidates running for local, state and federal government. He cares about his community, and uses his talent to help elect leaders who will do the same. He has served twelve years on the Board of Education, helping to develop policies that will best serve Guilford's youth, the leaders of tomorrow.

Marty is also known for his work with Guilford residents and community leaders. As President of the Guilford Interfaith Ministries, Marty's energy is directed at assisting some of the community's most vulnerable citizens. Under his direction, programs such as "Meals on Wheels", Friendly Visitors, and the Guilford Food Bank assist hundreds of people in need.

As an active citizen of Guilford, Marty is the kind of man who quietly makes his town a better place. He appreciates Guilford's past and has a vision for its preservation for the future. If Marty sees a need in the community, he takes it upon himself to work toward a solution. At a time when many Americans are becoming bitter about problems that seem too great to solve, Marty is the kind of man that serves as an example of hope. If we continue striving for a better community as Marty does, we really can make a difference.

Mr. Speaker, it is with great pride that I rise before you today to join with family, friends and the town of Guilford to honor Marty Ford for his outstanding service to the community. His efforts are clearly deserving of this public recognition and gratitude. I wish him continued success and thank him for the high standard he has set for us all.

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HONORING THE REVEREND ROBERT M. NERVIG ON THE OCCASION OF HIS RETIREMENT

**HON. NYDIA M. VELÁZQUEZ**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Ms. VELÁZQUEZ. Mr. Speaker, I rise today in honor of Reverend Robert M. Nervig for his

service to the people he has served and the communities he has enriched in his 43 years as a minister in Brooklyn and throughout the city and across the country.

Reverend Nervig began his ministry in 1956 when he was ordained into the Holy Ministry at the Luther Theological Seminary in St. Paul, Minnesota. Soon after that he began his religious ministry at the Trinity Lutheran Church in Brooklyn. Three years later he moved to Our Savior Lutheran Church serving the Staten Island community. And in 1988, Reverend Nervig returned to Trinity, Brooklyn where he continued his ministry in this multilingual, multi-cultural parish. During this time he also served as president of Augustana Academy, a school that broke all barriers by providing academic opportunities to children of all races and economic position.

Reverend Nervig has been a powerful force in our community, because of his strong commitment to serve diverse communities. His ministry is not bound by the constraints of language or culture, and extends to the many diverse groups of people in the communities to which he ministers. His parish is surrounded by the sounds of prayers in many languages, and each Sunday his multi-cultural parish prays in three languages—English, Norwegian and Spanish. His efforts to reach out and unite people involved him in the organization of 65 congregations of the former American Lutheran Church.

And beyond this, Reverend Nervig has touched the lives of thousands, of young adults in the community through his activities in youth ministries, where he is known as "Pastor Bob." As president of Augustana High School, he has helped strengthen and expand that diverse institution—a place where students rich and poor from many backgrounds and many nations can learn in a dynamic environment. He has organized youth outreach programs and national Lutheran youth gatherings that have become enormously successful, and have touched young people across the country.

Reverend Nervig is a model for our community in Brooklyn and a model for communities across the country. I urge my fellow colleagues to join me in honoring reverend Robert M. Nervig for his 43 years of service to many communities—a ministry and a man that can be condensed into these words—a love for all God's children—no matter the age.

THE MILITARY RESERVISTS  
SMALL BUSINESS RELIEF ACT

**HON. DAVID D. PHELPS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. PHELPS. Mr. Speaker, today I introduced the Military Reservists Small Business Relief Act of 1999 to aid small businesses whose owner, manager or key employee has been or may be called to active duty in the Balkans. I am pleased to note that I have been joined by a bipartisan group of my colleagues in sponsoring this legislation. A companion bill is being introduced in the Senate, and we are hopeful that Congress will address this issue expeditiously.

Eight years ago, at the beginning of the Gulf War, substantially identical legislation was in-

roduced and passed. Now, as then, we in Congress owe it to those brave men and women who are answering their nation's, and the world's, call to help resolve the situation in Kosovo. Small businesses which rely on the talents and energies of reservists called up for active duty can suffer immeasurable harm from the absence of those individuals.

The bill I am introducing today provides three forms of assistance to small businesses affected by the call up of reservists. Briefly, the bill would address the following matters:

**Deferral of Loan Repayments.** Payments would be deferred on any direct loans from the Small Business Administration, including disaster loans, which have been extended to reservists or guard members who have been called to report for active duty. SBA is further directed to develop policies consistent with this approach for microloans and for guaranteed loans under SBA's financial assistance programs. Deferrals will be available from the date of call up until 180 days after he or she is released from active duty.

**Economic Injury Loans.** The bill establishes a new program, to be administered by SBA's disaster loan program, to provide interim operating capital to any small business where the departure of a reservist causes economic harm to that business. This program applies when the individual called up is an owner, manager or a key employee; businesses can apply from the date of a call up until 180 days after the reservist is released from active duty.

**Technical Assistance, Counseling and Training.** SBA and its private sector partners, such as the Small Business Development Centers, are directed to reach out to businesses affected by the call up of reservists and guard members. The goal would be to mitigate business disruptions through counseling, training and other assistance for those left behind to run the business.

Mr. Speaker, I urge you and all our colleagues to join with me in moving forward to pass this bill and provide this much needed relief to our reservists. As former Senator Bumpers said when he introduced a similar bill in 1991 during the Gulf war, ". . . some small business will be irretrievably lost due to this war . . . We may not be able to save all them. But where government can offer a helping hand, surely we must." The year is different, and the war in the mountains of south-east Europe rather than the sands of the Middle East. But the needs are the same, as is our responsibility.

WADSWORTH ATHENEUM MUSEUM'S  
DOCENT PROGRAM CELEBRATES 30 YEARS

**HON. JOHN B. LARSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. LARSON. Mr. Speaker, today I rise to honor a group of very special volunteers who have served the art community in my district for three decades. On May 1, 1999, the Wadsworth Atheneum Museum in Hartford, CT, will mark the 30th year of its Docent Program. A program that has continued to comprise some of the most dedicated and talented volunteers in Hartford.

While an artist cannot paint without brushes, the Wadsworth could not bring the thousands

of art treasures in its collection to life without its docents. And while a docent is a volunteer position, the word "volunteer" does not fully recognize the vast amount of knowledge that a person must acquire before taking part in this program.

Before a docent can share the history behind each painting or sculpture with the public, he or she must first participate in a year-long training session. Having to master approximately 65 hours of education on art history, the museum collection, and tour techniques clearly demonstrates the high level of commitment that these volunteers bring to this position.

A visitor to the Wadsworth, which is the oldest public art museum in the United States, becomes a student of art no matter what their age. They rely on the docent to educate them about nineteenth-century American landscapes, to educate them about French and American Impressionist paintings, to educate them about twentieth century masterpieces, and to educate them about its MATRIX program of changing contemporary exhibitions and performances, one of the first of its kind in the country.

Most importantly, for some visitors the Wadsworth is the first art museum they have visited, or at least the first art museum in Hartford they have visited. That is what makes the docents so special. They are more than tour guides. They are ambassadors of art. They are ambassadors of Hartford.

As a resident of nearby East Hartford, I have made many trips to the Wadsworth as both a student and a father. It remains a place that educates the mind and excites our soul about the amazing world of paint, canvas, sculpture, marble and textiles. But just as a painting is not complete without the perfect frame, no visit to the Wadsworth would be complete without a lesson on the world of art from a docent.

It is with great pride that I congratulate the volunteers that have maintained the Docent Program for 30 years at the Wadsworth Atheneum. Thank you for so generously providing us with your time and knowledge.

84TH COMMEMORATION OF  
ARMENIAN GENOCIDE

SPEECH OF

**HON. MICHAEL R. McNULTY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 1999*

Mr. McNULTY. Mr. Speaker, I join with my many colleagues today in remembering the victims of the Armenian Genocide. But rather than repeat what has already been said, let me say a few words about the very positive spirit of the Armenian people. They endured a great deal before, during and after the genocide. They were also under the totalitarian dictatorship of the Soviet Union for many decades.

That all ended in 1991, and I was there to see it. I was one of the four international observers from the United States Congress to monitor Armenia's independence referendum. I went to the communities in the northern part of Armenia, and I watched in awe as 95 percent of all of the people over the age of 18 went out and voted. And, of course, I thought