

## PERSONAL EXPLANATION

**HON. LARRY KISSELL**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2009*

Mr. KISSELL. Madam Speaker, on Tuesday, July 7, 2009, I missed two rollcall votes as I was attending a meeting in North Carolina concerning my state's higher educational system. Had I been present, I would have voted "aye" on rollcall numbers 478 and 479.

HONORING T. MICHAEL NICHOLSON

**HON. ERIC J.J. MASSA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2009*

Mr. MASSA. Madam Speaker, I rise today to honor T. Michael Nicholson, a man who has suffered tremendous personal loss but has used it as inspiration to help others.

Michael at a young age, in a desire to help his community became a volunteer firefighter. He was only a junior in high school. He joined the Bushnell's Basin Volunteer Fire Department in the town of Perinton. Six months after joining he was struck by a car while directing traffic to a fire scene. Michael was severely injured and was given a 50% chance of living.

His legs were broken, his back was broken, and his skull was fractured. Michael was in a coma for three weeks which he was not expected to come out of.

The State of New York agreed to compensate Michael with eighty dollars a week for what they deemed partial disability.

However, the long term effects Michael suffered from prevented him from living a normal life and \$80 a week was insufficient to live on. He pled his case to an administration law judge with hopes of being allowed a total permanent disability status.

His request being denied, Michael was told, "If you want to do anything about this, then change the workers' compensation law."

So he did.

Using this as inspiration Michael has led a crusade to overhaul the way the workers compensation system treats firefighters. Against all odds he has scored victories in the State Senate and Assembly where a law was created to bring the weekly benefit rate up to \$400. This was a significant increase especially since some firefighters were trying to live off of \$25 a week.

On November 29th 1992 the United States Department of Justice created the Public Safety Officer Disability Benefit which awards federal benefits to any Public Safety Officer in the United States who is permanently disabled from an "in the line-of-injury" suffered in their community.

Disabled firefighters have Michael Nicholson to thank for this. With his hard work and drive he was able to fix what was unfair and it is for this reason I honor him

## EARMARK DECLARATION

**HON. GLENN THOMPSON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2009*

Mr. THOMPSON of Pennsylvania. Madam Speaker, pursuant to the Republican standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Act, 2010. The entity to receive funding is the Pennsylvania State University, 117 Old Main, University Park, PA 16802, in the amount of \$349,000. Funding will be used for a project at Penn State that has a goal of improving dairy farm profitability throughout the Commonwealth.

## EARMARK DECLARATION

**HON. ADAM H. PUTNAM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2009*

Mr. PUTNAM. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman ADAM H. PUTNAM

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture

Project Funding Amount: \$300,000

Legal Name of Requesting Entity: Hillsborough County/University of Florida

Address of Requesting Entity: University of Florida, Institute for Food and Agriculture Sciences, Post Office Box 110180, Gainesville, FL 32611-0180

Description of Request: The Hillsborough County—Ruskin Tropical Aquaculture Laboratory is a cooperative venture of Hillsborough County and the University of Florida. Research from the laboratory provides much needed science-based technologies in nutrition, reproduction, health, and water quality management issues for the tropical ornamental aquaculture industry, based primarily in the county.

Requesting Member: Congressman ADAM H. PUTNAM

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture

Project Funding Amount: \$1,217,000

Legal Name of Requesting Entity: University of Florida

Address of Requesting Entity: University of Florida, Institute for Food and Agriculture Sciences, Post Office Box 110180, Gainesville, FL 32611-0180

Description of Request: For critical continuation and expansion of vital Citrus Greening and Citrus Canker research to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating diseases.

Requesting Member: Congressman ADAM H. PUTNAM

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture

Project Funding Amount: \$6,677,000

Legal Name of Requesting Entity: University of Florida

Address of Requesting Entity: University of Florida, Institute for Food and Agriculture Sciences, Post Office Box 110180, Gainesville, FL 32611-0180

Description of Request: The Tropical/Subtropical Agricultural Research (T-STAR) program conducts research and education for interdiction, eradication, and suppression of invasive plants, animals, insects and disease. The objective of this critical initiative is to develop strategies and tactics to stem the influx of invasive species into the United States to protect American agriculture.

Requesting Member: Congressman ADAM H. PUTNAM

Bill Number: H.R. 2997

Account: Animal and Plant Health Inspection Service (APHIS)

Project Funding Amount: \$43.6 million

Legal Name of Requesting Entity: U.S. Department of Agriculture

Address of Requesting Entity: U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, DC 20250

Description of Request: Due to the rapidly spreading nature of citrus pests and disease and their enormous potential economic impact, it is important that the Federal government actively support a coordinated plan to control, suppress and prevent further spread of the Citrus Greening and Citrus Canker through the Citrus Health Response Plan.

U.S. PATENT AND TRADEMARK  
OFFICE FUNDING

SPEECH OF

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 7, 2009*

Mr. MORAN of Virginia. Mr. Speaker, I rise in strong support of H.R. 3114, and commend the Chairman for his leadership in acting so swiftly to rectify this situation.

The U.S. Patent & Trademark Office, located in my District, is funded entirely by the user fees it collects; it does not draw any taxpayer funds from the general Treasury.

Like many other businesses and industries, the PTO has seen significant reductions in its revenues as a result of economic belt-tightening by its customers. In response, PTO has already enacted over \$140 million in budget cuts and cost-savings measures. PTO has instituted a hiring freeze, curtailed non-bargaining unit performance awards, stopped overtime for many workers and significantly reduced contracts, travel, supplies and other non-essential overhead expenses.

In the meantime, we must ensure that the USPTO can continue to maintain its personnel level and perform its critical mission of examining and granting patents that promote innovation and create jobs. As a result, a serious budget situation has developed. Absent adoption of this legislation approximately 9,000 patent office employees would be subject to furloughs during the last pay period of FY09 (last two weeks of September).

The Department of Commerce is monitoring the situation on a daily basis, and out of an abundance of caution, and to prevent a possible violation of federal law, the Department of Commerce is asking for a one-time funding fix from Congress to avoid the furlough of Patent Office employees.

The Trademark Office, as distinct from the Patent Office, within PTO has a surplus of \$60–\$70 million. Without asking for new monies from Congress, the Treasury, or other agency programs funds, this bill before us would provide an immediate and one-time-only borrowing option that is accompanied by a statutory repayment period. In 1999 and 2005, the opposite situation occurred, and the Trademark Office received assistance from Patents totaling \$24 million.

In order for Americans to prevail against this economic downturn, and to remain competitive globally, we need to ensure new technologies, innovation, and products are fully funded. The new concepts and ideas promoted by the work of PTO are drivers for American economic recovery and growth.

At such a time as this, America should be looking for its next Thomas Edison, Bill Gates, or Steve Jobs.

This bill simply lets the USPTO's patent operation borrow from an existing balance held by the trademark operation, and only if reasonably necessary to avoid employee furloughs or a reduction in force. Payback of any borrowed funds is assured by a temporary surcharge on patent fees.

This is a crucial juncture for the PTO. We need to remain at the cutting edge of global technological progress and achievement, or we risk lagging behind other nations.

The bill amounts to an insurance policy for the USPTO to make sure it can cover its payroll for over 9,000 federal employees. I ask my colleagues to support it.

#### EARMARK DECLARATION

### HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2009*

Mr. THOMPSON of Pennsylvania. Madam Speaker, pursuant to the Republican standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Act, 2010. The entity to receive funding is the Pennsylvania State University, 117 Old Main, University Park, PA 16802, in the amount of \$771,000. Funding will be used for research that protects the safety of dairy products for Pennsylvania and the nation.

#### EARMARK DECLARATION

### HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 8, 2009*

Ms. JENKINS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of

the FY 2010 Agriculture Appropriations bill, H.R. 2997:

Earmark: Polymer Research at Pittsburg State University

Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture, RE/FA Account

Legal Name of Requesting Entity: Pittsburg State University

Address of Requesting Entity: 1701 S Broadway, Pittsburg, KS 66762

Description of Request: Provide an earmark of \$1,500,000 to make contributions in the use of cellulosic fibers of wheat straw, corn stalks, and grasses (all grown in abundance in Kansas) to convert them to fillers for a new family of plastics that would be cheaper and require less energy to manufacture, and also be more friendly to the environment. This is a good fit at Pittsburg State University due to their certified program in Plastics Engineering Technology. Continued Federal endorsement and funding for these activities will build upon their past successes in the area of polymeric oils for use in polyurethanes. If the United States is to become independent of foreign oil producers, then we must pursue industrial sustainability by continuous innovation, improvement and use of clean technology to reduce pollution levels and consumption of resources. At the Kansas Polymer Research Center, they can apply knowledge of biochemistry to develop processes to produce new bio-based products more efficiently than the chemical processes we have been using.

Earmark: Wheat Genetic Research

Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture, SRG Account

Legal Name of Requesting Entity: Kansas State University

Address of Requesting Entity: Anderson Hall, Manhattan, KS 66506

Description of Request: Provide an earmark of \$240,000 to map and sequence the wheat genome through the Wheat Genetic and Genomic Resources Center (WGGRC). The WGGRC gene bank currently maintains 12,000 lines and these collections are continuously expanding as the Center acquires, develops, and distributes new genetic and genomic resources to facilitate wheat genetics, genomics, and breeding research. Kansas State University and Kansas wheat producers have already made an investment of almost \$1.0 million towards the purchase of a DNA sequencer and a robot for arraying and printing of DNA filters. This request will collect, conserve, and distribute wheat genetic and genomic resources; develop improved germ plasm; develop genetic stocks; develop genomic resources; and support training and outreach.

Earmark: Grain Sorghum

Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture, SRG Account

Legal Name of Requesting Entity: Kansas State University and Texas Tech University

Address of Requesting Entity: Anderson Hall, Manhattan, KS 66506, and 2500 Broadway, Lubbock, TX 79409

Description of Request: Provide an earmark of \$515,000 to permit the Great Plains Sorghum Improvement and Utilization Center (GPSIUC) to expand existing research and educational programs, particularly in genetic improvement and sorghum utilization. Sorghum is one of the most drought tolerant crops in the world, offering many potential advantages as a food, feed and bioenergy crop to the rural economies of the Great Plains.

Earmark: Water Conservation

Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture, SRG Account

Legal Name of Requesting Entity: Kansas State University

Address of Requesting Entity: Anderson Hall, Manhattan, KS 66506

Description of Request: To provide an earmark of \$69,000 to help: (1) agricultural producers, both crop and livestock, (2) rural communities in water-short areas; and (3) state and regional agencies to implement economic technologies and policies that will result in water conservation and prolong the life of the Ogallala aquifer in the face of increasing competition for declining aquifers and over-allocated surface waters. This effort is critical to the economic viability of western Kansas. In many parts of western Kansas, freshwater from both surface and groundwater is increasingly in short supply. Drought, aquifer and surface water depletion, and population shifts have stretched community and regional water supplies to their limits. As groundwater supplies decline or become cost prohibitive, better management of water through conservation, recycling, and treatment of poor quality water for secondary uses becomes even more important.

Earmark: Preharvest Food Safety

Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture, SRG Account

Legal Name of Requesting Entity: Kansas State University

Address of Requesting Entity: Anderson Hall, Manhattan, KS 66506

Description of Request: To provide an earmark of \$142,000 to expand the University's investigations into (1) the ecology of *Salmonella* in beef cattle, (2) antimicrobial resistance in cattle, and (3) agroinformatics, and (4) animal health diagnostics. These four areas of research have great overlap and synergy and will allow Kansas State University to better identify emerging threats of food-borne and zoonotic diseases associated with food-producing animals. Currently, Kansas State University has an ongoing USDA special project on the ecology of *E. coli* O157:H7 in beef cattle and the environment. This bacterial organism is a major cause of food-borne illnesses in humans.

Earmark: National Agriculture Biosecurity Center

Requesting Member: Congresswoman LYNN JENKINS

Bill Number: H.R. 2997

Account: Animal and Plant Health Inspection Service, Salaries and Expenses Account

Legal Name of Requesting Entity: Kansas State University

Address of Requesting Entity: Anderson Hall, Manhattan, KS 66506