

STATE LEGISLATURES ENDORSE
"OPERATION RESPECT"

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. GEORGE MILLER of California. Mr. Speaker, I want to call attention to the recent vote of the National Conference of State Legislatures (NCSL) in support of Operation Respect, which works with school administrators, teachers, legislators and others to promote character education and social-emotional learning in our nation's schools. The resolution was unanimously endorsed by the NCSL convention in August and marks a strong commitment on the part of lawmakers throughout this country to ending taunting, bullying and violence in our schools.

This is an enormously important initiative. Our nation has been naturally shocked each time a brutal act of violence has occurred at a school and we are all committed to eliminating such dangerous behavior. We also have to be better attuned to the acts of taunting, violence and bullying that precede many such acts, and that are, unfortunately, far more common on campuses daily.

A Little Hoover Commission report in California earlier this year found that "alienated and disaffected young people are escaping the attention of families, friends and teachers until they explode into violence." A recent survey of more than 2,000 students in grades 8-11 nationwide found that 80 percent said that they had experienced physical or verbal sexual harassment at school.

Parents and teachers cannot allow this situation to continue and neither can legislators. Sound program models like "Don't Laugh At Me," developed by Operation Respect, are being utilized in many classrooms throughout the nation, and we need to give strong federal support for their expansion and integration into the school curricula as local educators see fit.

Earlier this year, Peter Yarrow came to both the Democratic Caucus and the Republican Conference of the House of Representatives to explain the urgent need for programs like "Don't Laugh at Me," and he received a vigorous, bipartisan response. Now is the time for us to follow up on the strong feelings and pledges of support Mr. Yarrow generated by casting our votes in favor of adequate funding for character education and social-emotional learning programs and teacher training both in upcoming appropriations legislation and in the pending education bill.

In the meantime, I want to share with my colleagues in the House the text of the resolution just adopted by the National Conference of State Legislatures in support of this important initiative.

National Conference of State Legislatures
Resolution in Support of the Efforts of Operation Respect Inc

Whereas, NCSL joins the National Association of Secondary School Principals, American Association of School Administrators, Council of Great City Colleges of Education, National Education Association, Council of the Great City Schools, American School Counselors Association, National School

EXTENSIONS OF REMARKS

Boards Association, National Middle School Association, and American Federation of Teachers in Supporting efforts to "Meet the crisis of violence head-on, while simultaneously addressing the academic needs of students, giving them the tools to become whole, productive human beings; responsible, humane, ethical, participating members of our democracy and our society;" and

Whereas, NCSL applauds the goals of Operation Respect and its efforts to work with state legislatures to ensure the health and well-being of the next generation of children: Therefore, be it

Resolved, That, NCSL forwards Operation Respect's proposals for state legislative action for review and consideration where appropriate by the 50 state legislatures, territories and commonwealths of the United States.

HONORING GARO MARDIROSSIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Garo Mardirossian for being selected as Los Angeles' Trial Lawyer of the Year 2000. Mardirossian was selected for the honor by the board of governors of the Consumer Attorneys Association of Los Angeles.

Mardirossian is originally from Aleppo, Syria. Due to that government's intolerance of Christian-Armenians, his family moved to Lebanon and lived in Beirut for two years. At the age of eleven, Garo and his family decided to relocate to Cleveland, Ohio. From Cleveland they moved to La Mirada and finally settled in Los Angeles, California.

Mardirossian earned his Bachelor's degree in Economics from UCLA and earned his law degree from Whittier Law School in 1981. Later that same year, he founded the Law Offices of Garo Mardirossian. His firm started out by handling small personal injury and auto injury cases. Garo has established himself and his firm as defenders of the U.S. Constitution. He often speaks at attorney association's conventions, bar association meetings, and at law schools.

Garo's trial achievements include:

Palmer v. Schindler Elevator Company—in which Garo won a \$5.75 million verdict for his client who suffered post-concussion syndrome and a broken arm and leg when a belt in an elevator disintegrated.

Saakyan v. Modern Auto—an eight year case of defective tires where the jury returned a verdict of \$21 million.

Hakiman v. Gabbai—in which a jury returned a verdict of \$6.65 million for a man badly burned due to an apartment complex full of malfunctioning stoves.

Since 1986, Garo has been married to his wife Kathy, who is also a lawyer in his firm. They have three children: Ani, Nora & Kevin.

Mr. Speaker, I want to honor Garo Mardirossian for being selected as Los Angeles' Trial Lawyer of the Year 2000. I urge my colleagues to join me in wishing Mr. Mardirossian and his family many more years of continued success.

THE 10TH ANNIVERSARY OF AN
INDEPENDENT UKRAINE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. GILMAN. Mr. Speaker, I want to bring to the attention of my colleagues to the Flag Raising celebration of the 10th Anniversary of Independent Ukraine, that was held at 12:30 p.m. in Rockland County, New York, on August 26, 2001, at the County Offices Complex, in New City.

This event was sponsored by the Ukrainian Community of Rockland, under the leadership of Ukrainian American Veterans of Rockland, with their former National Commander, Dr. Vasyi Luchkiw, serving as the Event Chairman. I commend the Rockland County Executive, the Honorable Scott Vanderhoef, the Chairman of the County Legislature, the Honorable Ilan Schoenberger, and our County Legislators for providing a place to hold the celebrations. I also would like to extend a special thanks to the Honorable Theodore Dusanenko for his help throughout the years, and a heartfelt thanks to all of the participants for making this celebration possible.

I join the members of the Ukrainian Community in celebrating this significant anniversary. It is a miracle that, without bloodshed, the Soviet Empire, which held the Ukraine in its thrall, has melted away.

The anniversary program included thoughtful remarks by Commander Luchkiw, which I ask to be printed at this point in the RECORD for the information of my colleagues:

ON THE TENTH ANNIVERSARY . . .

(By Dr. Vasyi Luchkiw)

UKRAINE MADE IT!!! Ukrainian people made it! Contrary to all predictions and against all odds, Ukraine not only survived the past ten years, but actually made significant progress on its way to become a western democratic state. Even economy has been edging upward and there is hope for Ukrainian people who have suffered politically, economically, culturally and even spiritually for so many years. But there remains a lot to be done and Ukraine probably will not be able to do it alone. It needs help. It needs help in the broadest meaning of the word. Yes, it even needs help with fighting corruption. The 75 years of corrupt Soviet government and society left its indelible mark on Ukraine and it does not know how to get rid of it.

Western world must remember, that Ukraine greeted restoration of its independence with empty hands and empty coffers. Since that fateful day in August 1991, Ukraine had to improvise every step of the way. Its people had to suffer the brunt of economic shortfalls. The struggle is not over yet and west better not wait too long with its help.

There has been talk about a type of "Marshal Plan" for Ukraine. Whatever it is, it better come soon. Procrastination with help for Ukraine may turn into disaster for western Europe, if not the entire democratic world. Ukraine's neighbor to the north is waiting "ready and willing." It is aching for a chance to "show" people of Ukraine that it is he that truly cares about Ukraine and that is he to whom Ukraine should turn for support and guidance. Need we say more?

This 10th anniversary is an appropriate time for the Western world, and particularly for the United States, through its congress and administration, to demonstrate strong support for Ukraine and its people (despite legitimate concerns on such as freedom of the press, rule of law, piracy and copyright, continuation of political and economic reforms, etc.), particularly now that Ukraine appears to be drawn more and more toward Russia.

The 10th anniversary is not the time to turn Ukraine and its people away from the West. Rather, this is time for the United States to do as is suggested in the House Resolution 222: "continue to assist in building a truly independent Ukraine through encouraging and supporting democratic and market-economy transformation in Ukraine, keeping the doors of Europe and trans-Atlantic institution open to this nation."

SPEECH BY PROF. BASILIO
CATANIA

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. ENGEL. Mr. Speaker, recently, I took to the floor to tell our colleagues about Antonio Meucci, who is one of history's forgotten inventors. I would like to take this opportunity now to insert into the CONGRESSIONAL RECORD excerpts of a lecture of Prof. Basilio Catania that he gave in October 2000 at New York University. I believe you will find it very informative and illuminating. I commend it to all our colleagues.

ANTONIO MEUCCI, INVENTOR OF THE TELEPHONE: UNEARTHING THE LEGAL AND SCIENTIFIC PROOFS

For 12 years I have researched the life and inventions of Antonio Meucci. My research was largely based on original documents, found in archives located in Italy, Cuba and the United States. Here I will briefly touch on topics connected with Meucci's priority in the invention of the telephone, namely, the *Bell v. Globe* trial, the *United States v. Bell* trial, and the scientific proofs of Meucci's priority.

Regarding the *Bell v. Globe* trial, it is known that Judge Wallace's decision, issued in New York on 19 July 1887, ruled in favor of the Bell Company against the Globe Telephone Company and Meucci. The report of this trial is at 31 F. 729 (Cir. Ct., S.D.N.Y., 1887). In particular, the Deposition of Antonio Meucci is also available in many public libraries, such as the New York Public Library and the Library of Congress.

However, it must be remarked that, while the Bell Company had sued the Globe Company and Meucci for patent infringement, it is largely unknown that the U.S. Government sued the Bell Company and Graham Bell for fraud, collusion and deception in obtaining the telephone patent(s). See 32 F. 591 (Cir. Ct., D. Mass., 1887). The U.S. Government set out to prove that Meucci—not Bell—had discovered the electromagnetic telephone and that the German Philipp Reiss had discovered the variable resistance transmitter, later called the "microphone." In other words, whereas in New York the Bell Company claimed that Bell, not Meucci, was the inventor of the telephone, in Washington the Government claimed the opposite. Here

is a brief chronology of what had happened in Washington, before the commencement of the Bell action against Meucci.

As early as 31 August 1885, the U.S. Solicitor General consented to petitions from several parties and authorized the U.S. Attorney for Western Tennessee to institute a suit in the name of the Government to annul the Bell patents.

On 9 September, a bill of complaint against the Bell Company and Graham Bell was filed.

On 29 September, the Globe Company filed a petition with the Department of Justice, supporting the action of the Government and upholding Meucci's priority.

On 9 October, the U.S. Solicitor General suspended the proceedings, in order to allow the Secretary of the Interior, Lucius Lamar, who had jurisdiction over the Patent Office, to launch an investigation of its activity in this connection and report recommendations to the Department of Justice.

On 9 November, the Secretary commenced public hearings, with the aim of determining if there was ground for further proceedings against Bell and the Bell Company.

In January, 1886, the Interior Secretary recommended the institution of a suit against Graham Bell and the Bell Company, in the name and on behalf of the Government of the United States. He accompanied his letter with all reports, arguments and exhibits put ahead at the hearings.

Now, while the Secretary was holding said hearings, the Bell Company filed a bill of complaint against the Globe Company and Meucci in the Circuit Court for the Southern District of New York. Judge Wallace, who had already ruled four times in favor of Bell for patent infringement in other cases, presided over this court. It was, therefore, evident that the Bell move was more a maneuver to counteract the attack of the Government, than to sue the Globe Company for an (otherwise non-existent) infringement. The Bell Company was confident to win quickly in New York, also to create a situation of res adjudicata in an eventual trial with the Government and to hamper the action in favor of Meucci in Washington. The Secretary of the

The trial in New York against Globe and Meucci went on swiftly, as expected by the Bell Company, and it came to a decision in about one and a half years. On the contrary, the action of the Government, hampered by the obstructionism of the Bell lawyers, dragged for twelve years, up to the end of 1897, when it was discontinued after the patent(s) had expired—without settling the underlying issue of who had priority to invention of the telephone. Moreover, the record of this trial was never printed and is now only available, with some difficulty, from the National Archives, mostly in typescript or manuscript, being spread among different groups and cities.

We must point out that, in the *Bell v. Globe* trial, the counsel for Globe and Meucci, David Humphreys, filed only nine out of the about fifty affidavits in favor of Meucci that were formerly exhibited and elucidated in Washington before the Interior Secretary. Counsel's main concern was to prove that Globe did not infringe the Bell patents, not having sold nor operated any telephones.

Notwithstanding, Judge Wallace could not ignore the many witnesses that had testified to have successfully spoken through various Meucci's telephones. But he disposed of all such witnesses by ruling that the spoken words that they had heard were from a string telephone, not an electric telephone. As known, the "string telephone" is a toy used

by children to talk with the aid of two cans and a rope or wire pulled stout between the cans. By ruling that way, Judge Wallace discredited Meucci, as having fooled himself, adding insult to injury.

The thesis of Meucci's telephone being a string telephone was advanced in affidavit sworn by one Prof. Charles R. Cross from MIT—incidentally, a good friend of Bell. Prof. Cross stated that he had carefully studied Meucci's deposition, in order to faithfully reproduce Meucci's telephone layouts in his Physics Laboratory. However, Prof. Cross had omitted to mention in his affidavit a reel of wire that Meucci always inserted in circuit to simulate a long distance. There are three drawings and five different answers in Meucci's deposition where this reel of wire is clearly shown or quoted. Prof. Cross may have purposely omitted it. If he had inserted a reel of wire in his test, the sound could by no means mechanically traverse distance and reach the receiver. It could only be electrically transmitted, if any expert had raised that objection, Prof. Cross and Judge Wallace's thesis of the string telephone could not but fail.

Another obstacle to be surmounted by the Bell lawyers—and next by Judge Wallace—was Meucci's caveat "sound Telegraph." This caveat was filed in the Patent Office on 28 December 1871, many years before the first Bell patent. Though having expired on December 1874, Meucci not being able any more to pay the \$10 annual fee, yet it was a proof of Meucci's priority of invention. Prof. Cross testified that the caveat "plainly and well describes what is known as a lover's telegraph or string telephone." The Globe Company called as their rebuttal witness Thomas Stetson, the patent lawyer who had prepared Meucci's caveat. Surprisingly, Mr. Stetson's testimony was largely in line with Prof. Cross's, poles apart from an affidavit, five years before, which is nothing less than a paean for Meucci as the true inventor of the telephone.

I took the trouble of comparing Mr. Stetson's affidavit of July 1880 with his trial testimony; the latter was in sharp contrast with his affidavit. Thus, Mr. Stetson's volte-face turned out to be a hard blow on Meucci's defense.

Mr. Stetson's false statements could easily have been disproved by the written description that Meucci had provided him in order to prepare the caveat. But Mr. Stetson testified that he had lost it, together with some important letters on the same subject that Meucci had written. He also testified that he did not remember an important drawing, illustrating Meucci's telephone system, drafted for him in 1858 by a painter, Nestore Corradi, and accompanying Meucci's description. Conversely, he exhibited a mysterious letter—that he said he had dictated but not sent to the Globe Company—containing his (quite recent) detraction of Meucci's caveat. He thus enabled Judge Wallace to rule that Meucci's pretensions "are overthrown by his own description of the invention at a time when he deemed it in a condition to patent, and by the evidence of Mr. Stetson."

Among others, the Bell Company called as their witness two Italians, Federico Garlanda and John Citarotto, who testified that they owned a quite complete collection of *L'Eco d'Italia* (an Italian newspaper of New York), running from 1857 down to 1881. They stated, however, that their collection lacked just the issues from 1 December 1860 to the whole year 1863. We must recall that Meucci's invention was testified as having been published in *L'Eco d'Italia* between the end of 1860 and the beginning of 1861. If retrieved, it would have rendered null the Bell