us pass this resolution, and then let us go back and provide the resources necessary to cut the supply of drugs by the necessary amount coming into this country from aboard whatever ships, planes and flying hours are needed, and get back on the streets doing our job.

Mr. BROWN of Ohio. Mr. Speaker, I reserve the balance of my time.

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS), who is on the Speaker's drug task force.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. Speaker, once again it is my privilege to speak before this body and to the American people. We cannot say enough how important the war on drugs is. This Resolution 423 clearly expresses our sense to the American people that no other victory other than the victory on the war on drugs to protect our children is acceptable.

A few months ago, in the community of Lake Highlands, which is within the Fifth District of Texas, we were ravaged by vandalism; and it turns out that those perpetrators, those people who committed crimes, were high on marijuana laced with methamphetamines.

It saddened me as a parent and also as a Member of Congress that our communities are being invaded by those who desire to pollute our children with killer drugs. We must act responsibly to address this issue by deterring demand, stopping supply, and increasing accountability.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. HASTERT) has 1½ minutes remaining.

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PAPPAS).

Mr. PAPPAS. Mr. Speaker, I thank the gentleman from Illinois for yielding me the time, and I thank him for his leadership.

Mr. Speaker, this resolution states ''the House declares its commitment to create a drug-free America.'' For the past two weeks, we have adopted two bills, one resolution last week that I authored with the very similar message focusing on young people in schools, and the week before that a resolution dealing with the needle exchanges. Very, very clear messages, very simple messages. And I have been very disappointed back in my district in New Jersey, members of the media have made light of it, have made light of statements that this House and the vast majority of Members of this House have stated very clearly that drug use is unacceptable and a drug-free America is a goal worth fighting for.

I stand here very proudly in supporting this resolution by the gentleman from Illinois (Mr. HASTERT), and I urge the members of the media that they need to join in this fight, not make light of it, not be cynical, not be skeptical, but that we all as Americans might speak as one voice.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 30 seconds.

I appreciate the debate today and the sincerity of my friends on the other side of the aisle. I would hope that as we move on, and the gentleman from Illinois (Mr. HASTERT) mentioned that there will be one of these every week or so for the next 10 weeks, I hope that as we get into more substantive debates and more substantive resolutions and more substantive legislation, that we do go through the committee process and work these through and are able to write, bipartisanly, together, the most effective substantive legislation we can.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. HASTERT. Mr. Speaker, I yield myself the remainder of the time.

I wish to say, Mr. Speaker, that I appreciate the gentleman from Ohio (Mr. BROWN) joining with us today. This is, just as the gentleman said, 3 pages of pages. It is merely words. It is actions that the American people want. It is the will of this country, it is the will of this Congress to get things done. It is moms and dads and teachers and preachers getting together and saying, ''We have had enough.'' On the prevention side, it is doing our job to make sure our borders are secure and the dollars go effectively to stop drugs flowing from other countries into this country.

We owe it to ourselves, we owe it to this Congress, we owe it to the American people; and most of all, we owe it to our children and grandchildren. I ask for a positive vote on this legislation.

Mr. SAM JOHNSON of Texas. Mr. Speaker, drugs are no stranger to my hometown of Plano, Texas. Since the beginning of last year, heroin has claimed the lives of thirteen young people in my district.

Local police are working closely with community leaders and parents to stop this terrible epidemic. The heart of their mission is not just to stop the flow of drugs to these kids, but to get the word out that drugs kill.

Because, you see, somewhere along the line, the message got lost. Somewhere along the line, kids got the idea that drugs weren't that bad. I guess that happens when even the President of the United States jokes about it on M.T.V.

I've met with several law enforcement officials in Plano, and they all tell me the same thing—help us get the word out. And that's what we're doing here today.

This resolution sends a clear message to the President and to the drug users of America that the good times end now. No more. We are committed to ending the scourge of drugs in this country. And the President had better get on board, or he's going to get left behind.

We will not stand by and watch the future of our country waste away in a heroin haze. I owe it to the kids of Plano, Texas, just as the rest of this House owes it to the kids in their district. I urge my colleagues to support this resolution.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today in support of H. Res. 423 and to share with my colleagues my own experience in Kentucky's Second Congressional District.

Last month, the Speaker's Task Force for a Drug-Free America unveiled a plan to renew America's commitment to win the war on drugs.

As many of you know, our congressional agenda will focus on stopping supply, increasing accountability, and deterring demand.

It is critical to protect our borders and to assist our federal, state and local agencies in this war. But I believe the real battle will be fought, and ultimately, won at the local level. This fight will be led by parents and community leaders. And I think we in this Chamber need to play an important leadership in this effort.

Recognizing this fact, I started the Heartland Coalition anti-drug project. The goal is to activate grass-roots coalition groups in all 22 counties in my district. We want every young person in the Second District to understand the dangers of drugs. These county groups are made up of parents, teachers, community leaders and members of law enforcement.

Since the Heartland Coalition was introduced last year, we have:

Held monthly meetings with the advisory council;

Established a directory that lists every organization interested with combating drugs in each county; and

Hosted a law enforcement summit which brought together community leaders involved in the anti-drug movement and law enforcement professionals.

This fall we will focus on our youth. We will listen to teenagers from all over my district to learn their concerns, fears and thoughts on drugs.

There is still a lot more to do, but the overwhelming support I have received from my constituents shows that we have taken a step in the right direction.

So, the war on drugs will not be won from on-high in Washington but in the hearts and homes of all Americans. H. Res. 423 is a pledge from Congress we will stand ready to assist in this effort.

Again, I urge my colleagues to join me in voting for H. Res. 423.

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from Illinois (Mr. HASTERT) that the House suspend the rules and agree to the resolution, H. Res. 423.

The question was taken.

Mr. HASTERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

UNITED STATES PATENT AND TRADEMARK OFFICE REAUTHORIZATION ACT, FISCAL YEAR 1999

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3723) to authorize funds for the payment of salaries and expenses of the Patent and Trademark Office, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3723

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Patent and Trademark Office Reauthorization Act, Fiscal Year 1999''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be made available for the payment of salaries and necessary expenses of the Patent and Trademark Office in fiscal year 1999, $66,000,000 from fees collected in fiscal year 1998 and such fees as are collected in fiscal year 1999, pursuant to title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 et seq.). Amounts made available pursuant to this section shall remain available until expended.

SEC. 3. LEVEL OF FEES FOR PATENT SERVICES.

(a) GENERAL PATENT FEES.—Section 41 of title 35, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) The Commissioner shall charge the following fees:

''(1)(A) On filing each application for an original patent, except in design or plant cases, $760.

''(B) In addition, on filing or on presentation at any other time, $78 for each claim in independent form which is in excess of 3, $18 for each claim (whether independent or dependent) which is in excess of 20, and $260 for each application containing a multiple dependent claim.

''(C) On filing each provisional application for an original patent, $150.

''(2) For issuing each original or reissue patent, except in design or plant cases, $1,210.

''(3) In design and plant cases—

''(A) on filing each design application, $310;

''(B) on filing each plant application, $480;

''(C) on issuing each design patent, $430; and

''(D) on issuing each plant patent, $580.

''(4)(A) On filing each application for the reissue of a patent, $760.

''(B) In addition, on filing or on presentation at any other time, $78 for each claim in independent form which is in excess of the number of independent claims of the original patent, and $18 for each claim (whether independent or dependent) which is in excess of 20 and also in excess of the number of claims of the original patent.

''(5) On filing each disclaimer, $110.

''(6)(A) On filing an appeal from the examiner to the Board of Patent Appeals and Interferences, $300.

''(B) In addition, on filing a brief in support of the appeal, $300, and on requesting an oral hearing in the appeal before the Board of Patent Appeals and Interferences, $260.

''(7) On filing each petition for the revival of an unintentionally abandoned application for a patent or for the unintentionally delayed payment of the fee for issuing each patent, $1,210, unless the petition is filed under section 133 or 151 of this title, in which case the fee shall be $110.

''(8) For petitions for 1-month extensions of time to take actions required by the Commissioner in an application—

''(A) on filing a first petition, $110;

''(B) on filing a second petition, $270; and

''(C) on filing a third petition or subsequent petition, $490.

''(9) Basic national fee for an international application where the Patent and Trademark Office was the International Preliminary Examining Authority and the International Searching Authority, $670.

''(10) Basic national fee for an international application where the Patent and Trademark Office was the International Searching Authority but not the International Preliminary Examining Authority, $760.

''(11) Basic national fee for an international application where the Patent and Trademark Office was neither the International Searching Authority nor the International Preliminary Examining Authority, $970.

''(12) Basic national fee for an international application where the international preliminary examination fee has been paid to the Patent and Trademark Office, and the international preliminary examination report states that the provisions of Article 33 (2), (3), and (4) of the Patent Cooperation Treaty have been satisfied for all claims in the application entering the national stage, $96.

''(13) For filing or later presentation of each independent claim in the national stage of an international application in excess of 3, $78.

''(14) For filing or later presentation of each claim (whether independent or dependent) in a national stage of an international application in excess of 20, $18.

''(15) For each national stage of an international application containing a multiple dependent claim, $260.

For the purpose of computing fees, a multiple dependent claim referred to in section 112 of this title or any claim depending therefrom shall be considered as separate dependent claims in accordance with the number of claims to which reference is made. Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner.''.

(b) PATENT MAINTENANCE FEES.—Section 41 of title 35, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) The Commissioner shall charge the following fees for maintaining in force all patents based on applications filed on or after December 12, 1980:

''(1) 3 years and 6 months after grant, $940.

''(2) 7 years and 6 months after grant, $1,900.

''(3) 11 years and 6 months after grant, $2,910.

Unless payment of the applicable maintenance fee is received in the Patent and Trademark Office on or before the date the fee is due or within a grace period of 6 months thereafter, the patent will expire as of the end of such grace period. The Commissioner may require the payment of a surcharge as a condition of accepting within such 6-month grace period the payment of an applicable maintenance fee. No fee may be established for maintaining a design or plant patent in force.''.

SEC. 4. AUTHORIZATION OF COLLECTION AND EXPENDITURE.

Section 42(c) of title 35, United States Code, is amended by striking the first sentence and inserting the following: ''To the extent and in the amounts provided in advance in appropriations Acts, fees authorized in this title or any other Act to be charged or established by the Commissioner shall be collected by and shall be available to the Commissioner to carry out the activities of the Patent and Trademark Office.''.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on October 1, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3723.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, enactment of H.R. 3723, the U.S. Patent and Trademark Office Reauthorization Act for Fiscal Year 1999, will ensure that users of the Patent and Trademark Office who pay for its operation are getting their money's worth.

The bill before us today increases the Patent and Trademark Office's individual filing and maintenance fees by approximately $132 million to allow the agency to operate at 100 percent of its required needs, as outlined by the administration, but it does not provide additional monies to use for other non-Patent and Trademark Office purposes. The result of this change would actually lower patent and trademark fees for the first time in history and will result in a savings of approximately $50 million in fees charged to the inventors of America.

In addition, Mr. Speaker, the bill before us contains a technical amendment that has been suggested by the appropriators for scoring purposes. I believe we must assist the men and women who pay the fees that enable the Patent and Trademark Office to operate. They are the ones who contributed an element of inventiveness to our economy that would otherwise be nonexistent.

I therefore urge the Committee to report H.R. 3723 favorably to the full House.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with what my friend the gentleman from North Carolina (Mr. COBLE) has said.

I would just want to underline; Members will remember that we debated a patent bill earlier in this Congress. It was contentious. Many of the issues that become disagreements in setting patent policy are either created or exacerbated by delays in the process. To the extent that we adequately fund that office, and this bill will increase the guarantee that that happens because it raises funds and dedicates them to that office, to the extent that the Patent Office is well-funded and can act expeditiously, a number of the disputes we have had will diminish, many of them will, over time and over delay.

So this is a very important piece of legislation. It responds to the need of our economy and our intellectual processes for the encouragement of invention. I hope the bill is passed.

Mr. Speaker, I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no requests for time, and I too yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 3723, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1530

DEADBEAT PARENTS PUNISHMENT ACT OF 1998

Mr. McCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3811) to establish felony violations for the failure to pay legal child support obligations, and for other purposes.

The Clerk read as follows:

H.R. 3811

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Deadbeat Parents Punishment Act of 1998''.

SEC. 2. ESTABLISHMENT OF FELONY VIOLATIONS.

Section 228 of title 18, United States Code, is amended to read as follows:

''§ 228. Failure to pay legal child support obligations

''(a) OFFENSE.—Any person who—

''(1) willfully fails to pay a support obligation with respect to a child who resides in another State, if such obligation has remained unpaid for a period longer than 1 year, or is greater than $5,000;

''(2) travels in interstate or foreign commerce with the intent to evade a support obligation, if such obligation has remained unpaid for a period longer than 1 year, or is greater than $5,000; or

''(3) willfully fails to pay a support obligation with respect to a child who resides in another State, if such obligation has remained unpaid for a period longer than 2 years, or is greater than $10,000;

shall be punished as provided in subsection (c).

''(b) PRESUMPTION.—The existence of a support obligation that was in effect for the time period charged in the indictment or information creates a rebuttable presumption that the obligor has the ability to pay the support obligation for that time period.

''(c) PUNISHMENT.—The punishment for an offense under this section is—

''(1) in the case of a first offense under subsection (a)(1), a fine under this title, imprisonment for not more than 6 months, or both; and

''(2) in the case of an offense under paragraph (2) or (3) of subsection (a), or a second or subsequent offense under subsection (a)(1), a fine under this title, imprisonment for not more than 2 years, or both.

''(d) MANDATORY RESTITUTION.—Upon a conviction under this section, the court shall order restitution under section 3663A in an amount equal to the total unpaid support obligation as it exists at the time of sentencing.

''(e) VENUE.—With respect to an offense under this section, an action may be inquired of and prosecuted in a district court of the United States for—

''(1) the district in which the child who is the subject of the support obligation involved resided during a period during which a person described in subsection (a) (referred to in this subsection as an 'obliger') failed to meet that support obligation;

''(2) the district in which the obliger resided during a period described in paragraph (1); or

''(3) any other district with jurisdiction otherwise provided for by law.

''(f) DEFINITIONS.—As used in this section—

''(1) the term 'Indian tribe' has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a);

''(2) the term 'State' includes any State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

''(3) the term 'support obligation' means any amount determined under a court order or an order of an administrative process pursuant to the law of a State or of an Indian tribe to be due from a person for the support and maintenance of a child or of a child and the parent with whom the child is living.''.

The SPEAKER pro tempore (Mr. BEREUTER). Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. McCOLLUM. Mr. Speaker, I yield myself such time as I may consume.

The Deadbeat Parents Punishment Act of 1998 strengthens Federal law by establishing felony violations for the most serious cases of failure to pay legal child support obligations.

H.R. 3811 is a bipartisan bill introduced by the gentleman from Illinois (Mr. HYDE) and the gentleman from Maryland (Mr. HOYER), and is nearly identical to a bill we moved through the Subcommittee on Crime in the Committee on the Judiciary last month. The bill is also similar to one the Justice Department submitted to the 104th Congress.

Mr. Speaker, our current penalties for deadbeat parents are inadequate. It is currently a Federal offense to fail to pay a child support obligation for a child living in another State if the obligation has remained unpaid for longer than a year or is greater than $5,000. A first offense is subject to a maximum of 6 months of imprisonment; and a second or subsequent offense, to a maximum of 2 years. But the law fails to address the problem of more aggravated cases. This bill remedies the problem.

H.R. 3811 establishes two new felony offenses. The first offense is traveling in interstate or foreign commerce with the intent to evade a support obligation if the obligation has remained unpaid for a period longer than 1 year or is greater than $5,000.

The second offense is willfully failing to pay a support obligation regarding a child residing in another State if the obligation has remained unpaid for a period longer than 2 years or is greater than $10,000.

Both of these offenses involve a degree of culpability that is not adequately addressed by current penalties. As such, the bill provides for a maximum 2-year prison term for these offenses.

H.R. 3811 includes several additional measures which clarify and strengthen Federal child support enforcement provisions. The bill clarifies how these penalties apply to child support orders issued by Indian tribal courts. The bill also includes a venue section that clarifies that prosecutions under the statute may be brought in any district in which the child resided or which the obligated parent resided during a period of nonpayment.

This bill is a reasonable and appropriate step by the House to do what it can to hold accountable those parents who neglect next their most basic responsibilities to their children. The abdication of moral and legal duty by deadbeat parents calls for unequivocal social condemnation. This bill expresses such condemnation, even as it seeks to deter such unacceptable dereliction of duty.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I claim the time of the gentleman from Florida (Mr. WEXLER) until he arrives.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. FRANK) is recognized for 20 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the Committee on the Judiciary, I would say that we agree with the gentleman from Florida.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HYDE), the chairman of our full committee.

Mr. HYDE. Mr. Speaker, the parameters of this bill have been well explained by Mr. MCCOLLUM. It is a good bill. It is a necessary bill. It is overdue to punish those who abdicate their fundamental and their legal responsibility to provide for their children.

This legislation deals with the consequences of the disintegration of the family. We do not have an awful lot of power to keep families together, but we can ensure strong condemnation is directed against those who neglect their children in violation of law.

In doing so, we take a small, but important, step to support the family institution and the legal duties of parents to their children. The punishment