drugs. The current standard which subjects health claims to the same scrutiny that is applied to drugs is simply not warranted. In addition, the food additive petition process, which has allowed 200 petitions to languish, is in dire need of revision. Last year, an investigative report by the Subcommittee on Human Resources and Intergovernmental Relations found that reviewers requested too much data that was not even used to determine the safety of a food additive. Irrelevant data only adds unnecessary cost and depresses investments in new food ingredients and technologies. This ''zero risk'' management approach could be directly attributed to the influence of the Delaney clause which almost everyone agrees is no longer reflective to today's best scientific measurements. The findings, in this report, support the proposed change in H.R. 3200 from zero risk to a ''negligible risk'' standard.

H.R. 3200 also incorporates the provisions of H.R. 2508, to modernize the requirements for the regulation of animal drugs. The time frame for approval is shortened from 180 days to 90 days. In addition to these provisions, the bill provides for the regulation of certain drugs through a ''veterinary feed directive'' regulation for medicated feeds to be issued by a veterinarian.

Mr. Speaker, it is my hope that the three reform bills currently under consideration will retain FDA as a strong and viable agency that has the necessary resources to ensure product quality. It is also my expectation, however, that these reforms will make FDA a strong partner, rather than an impediment, in making useful technology and products to market.

WHAT MAKES AMERICA GREAT?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, today I would like to begin my talk here with a question of why do we think that America is a great country. I would like people who are listening and the people who are perhaps reading this in the CONGRESSIONAL RECORD to ask themselves why they think that America is such a great country.

Is it because we have a powerful military? No, that could not be the answer, could it, because there are a lot of great countries? There are a lot of countries in the world that have strong militaries, powerful militaries. Yet, they are not great countries. They are not countries that we would wish to identify with.

Is it because we have a lot of big companies, a lot of industrial companies in the United States? No. They have a lot of big firms and big companies in other parts of the world that are pretty despicable parts of the world. In fact, there are big companies at different places in the world that no American would want to live?

Perhaps it is because we have a beautiful flag, and we have the red, white, and blue, that is sitting behind the podium there. A beautiful flag does not make a great country, nor does a big military or a powerful military make a great country.

Certainly one of the factors that make a society a great country is the fact that people have a certain degree of freedom, and that was one of the guiding principles that led to the formation of the United States 200 years ago, when our Founding Fathers struggled for liberty and for independence.

But America is not just a free country. America is a prosperous country as well, but it is not just a prosperous country for a few people. It has a prosperity that has impacted on the lives of the common man and woman. Yes, in this country we have freedom. Everyone, every individual, has the right to vote, to speak, to pray; basically, to control his or her own destiny. These things are important to what is great about America.

Even our poor people, however, which is another factor, live a decent life. In America, a working person, an average working person, if he or she is willing to work and to try and to live an honest life, they can live a decent life economically. This, too, is part of the American dream, because what we have in America, what essentially makes America great, is our freedom and the opportunity of our people, the opportunity to live in a certain degree of prosperity. And our people have, indeed, lived more abundant lives than anyone else in the history of the world. Here, wealth is abundant enough so that the average person lives a good life.

Home ownership in this country is more widespread than in almost any society in the world. People own their own cars. Some of these things are considered miraculous in other parts of the world, where only a chosen elite, a very few people, get to participate in this, the blessings of America. In this country, our people select their own job, even. That is not the case in many other countries.

□ 2145

In our country, what we see is even the most arduous physical labor is assisted by machines, and this is part of the history of our country. Many people say, well, the reason America has done so well is because our people work so hard and they have always been hardworking people. Well, that is not really true. There are hardworking people all over the world. Yet very few societies have prospered and have enjoyed the freedom that we have here in the United States.

No, what we have done in the United States is ensure that our working people are assisted by machines and that the work that they do is multiplied, the product of their labor is multiplied by technology. Basically ours is a history of technology being brought to play to help save the backbreaking pain of our working people.

I recently came across a story of one of the early patents in the United States. It is not really all that early of a patent. It was issued March 20 of 1883. It was a patent that was issued to Jan Matzeliger and two investors who had invested in his project.

What was his project? What was his patent all about? It was a machine that revolutionized the manufacturing of shoes. Most people just take shoes for granted, but before this machine was invented, many people of the United States never wore shoes. In fact, the price of shoes was out of reach. Most people owned shoes, maybe one pair of shoes for their entire life.

But within a few years of Mr. Matzeliger's invention being brought to play, the price of shoes in our country dropped by 50 percent. Ordinary people were able to afford shoes for their feet. We just take this for granted today.

We also take for granted machines like Eli Whitney's reaper or the electric light bulb, or how about Robert Fulton's steam engine? By the way, Robert Fulton never invented the steam engine. If you look back at Robert Fulton, not only did he not invent the steam engine, he also was not the first one to ever put a steam engine onto a ship.

Robert Fulton put a steam engine on a ship and they called him a great inventor. Well, the fact is that the Germans had put a steam engine on a ship long before, but it had never been brought to play in their economy because special interest groups in the German economy refused to permit that steam engine on that ship from being used because it would displace people from work.

In the United States we saw it as a means of ending the terrible labor, the painful labor of pushing ships with sticks through the water. Our society welcomed technology and the German society did not.

In fact, even the Germans were not the first ones to invent the steam engine. The steam engine was invented by the Greeks in ancient times. Maybe you will remember seeing a picture of a steam engine, an early steam engine which revolved like this over a fire. That was invented by the Greeks, but in the Greek marketplace, relieving the pressure of work and the burden of work on so many people like the steam engine would have done was not something that was thought to be a worthy goal.

So the steam engines were passed up by the Greeks and by the German boatmen. But it was Robert Fulton that revolutionized the world and created steamboats which changed the world.

Thomas Jefferson, Ben Franklin, so many of our Founding Fathers were technologists because they believed in freedom and technology, they believed that technology would change the world just as democracy would change the world. In fact, creating a patent office was written into our Constitution. Can you imagine that? Over 200 years ago, our Founding Fathers wrote that there would be an office to patent new technologies and that was mandated in the basic law of the land, the Constitution.

That is because our Founding Fathers saw ours as a society that would be unlike any other society ever in the history of mankind. They saw that America would be a land of liberty, where the rights of all would be protected, and they believed that prosperity would follow because it would be not just the prosperity of the few but the prosperity of the many.

Well, how could that be possible? If they thought they were going to create a free society, how could they think that a free society and a free people could ever compete with slave labor? In fact, we had slave labor in a large portion of our country, so how could freedom work?

Well, how freedom could work and compete, and how we could convince ourselves to get rid of the evil of slavery in the United States, was that free people can compete with slave labor. Free people can compete with repressed citizens of other parts of the world, as in China today, if the free people have the technology they need to do the job. The technology was the key to freedom and prosperity. They saw that.

Interestingly enough, Mr. Matzeliger, whom I just mentioned, Jan Matzeliger, was a black American, and he invented a machine, as I said, that changed the life of all Americans. He invented a machine that made it possible for Americans to have decent lives because they were able to afford shoes.

And at a time when the rights of other black Americans and all black Americans were actually being tread upon, were being attacked, his right as an American to own his patent was not abridged. His patent rights were protected, even though he was a black American and many of the rights of black Americans of those days were not being recognized and not being protected. That is how strongly the United States felt about technology and about our rights to own the technology that we develop, because it is so important for new technologies to be developed and for that incentive to be into the system.

It was America's ingenuity as our Founding Fathers foresaw and as we can see ourselves in retrospect, it was America's ingenuity that has proven our most valuable asset.

Well, in the middle of the last century, Americans were given a guaranteed patent term of 17 years. That patent by that great black American who invented this machine that provided shoes for all of us, once his patent was issued, he received a guarantee, he and his investors, that that patent would be recognized for 17 years and he would be able to benefit from it. Mr. Matzeliger had lived a life of deprivation before he invented that machine, and he lived a decent life after that in Philadelphia. He lived a life not of luxury, not of opulence but a decent life and he was a gentleman and recognized so by his community and he left a sizable estate to the church when he died, because he had been able to receive the benefits of his invention and this was thought to be so important for all Americans. This was a right. It was a right, a guaranteed right of 17 years to benefit from anything that you invented. It was a right just like any other economic right or just like any other political right or social right. This 17-year guaranteed patent term served us well for over a century. Americans, in fact, have had traditionally the strongest patent protection of any nation of the world. That is why we prospered. That is why the American people have lived well when huge numbers of people in other countries have been living in poverty and living lives of desperation.

If we did not have a strong patent system, if we were not the ones developing the shoe machines, our people also would have lived in poverty, would have lived in repression. I am here tonight to warn the American people that the technology laws that have been so vital to our Nation's prosperity and to our standard of living, to the standard of living of all of our people, is being fundamentally changed, it is being changed in a way that they are not aware of and will have repercussions on their standard of living and it is happening as we speak. Patent rights enjoyed by Americans for over a century are being eliminated. The idea of a guaranteed patent term which has been the right of Americans is being eliminated. Americans will find that rights that they have taken for granted, prosperity that they have taken for granted, is changing, that something is being diminished and they just cannot figure out what it is that is happening to their country. Were we not always the leader in technology? What has happened? In the years ahead, Americans will never know what the change was because it is happening today very quietly. And it will have serious and sorrowful consequences upon the people, future generations of Americans and perhaps on this generation of young Americans.

It started only a short time ago, right after Mr. Clinton was elected, he sent the head of our patent office, Bruce Lehman, to Japan. There Mr. Lehman signed an agreement, to, quote, harmonize our patent laws with those of Japan. Here you have an unelected official who agreed to change our laws in a way which dramatically diminished our rights, rights that had been Americans for over 100 years, a guaranteed patent term, a right to guaranteed patent term of 17 years.

By the way, the Japanese did not have that, of course. That is why we had to change this patent term. We had to eliminate this guaranteed patent term that Americans had, because that is not what the Japanese system is like. The Japanese system is different. So the Agreement that Mr. Lehman signed was an agreement to harmonize our patent laws and instead of bringing their system up to our standard of protection for the individual, Mr. Lehman agreed to bring down the protection enjoyed by Americans to the much lower level of the Japanese.

If you might remember, the Japanese are not well known for their many inventions. I remember reading about Admiral Perry landing in Japan. Admiral Perry landed in Japan and brought a little train with him. Do you remember that? He brought a little piece of American technology of the day and the Japanese proceeded to copy it, because the Japanese are known to copy but they are not know to invent. Where we have something like 100 Nobel laureates for scientific achievements, they have 5. That is because in Japan, the system they have established, their patent system, their system of dealing with ingenuity and new ideas was a system that was set up for the, quote, collective good, which, of course, means the big guys who run the system are running it for themselves and they run roughshod over the common people of Japan. That is what we have done. We have harmonized our system to be like that. Is that not wonderful? Does that not make everybody think that is it not a great thing now that we going to have a system like Japan's? Forget it.

If we had harmonized our political rights with another country and brought the level of legal protection of our rights down, there would have been a revolt. What would have happened, for example, if we signed an agreement with Singapore saying, well, let us harmonize our laws here and what we are going to do is we will become more like Singapore and that means that we will have certain restrictions on freedom of religion and the press and rights to speak and that will make us like Singapore.

Americans would never accept that. They would say, ''That's too important. You can't diminish our rights that way.''

However, what is happening right now very quietly is the diminishing of basically intellectual property rights, the guaranteed patent term, which will have a much more dramatic impact on the life of the American people than what I just described as a harmonization with Singapore. And what will happen is we will turn around and we will never know what hit us.

This change is more insidious than anything I have ever seen during my 8 years in the House and during my 7 years before that in the White House, and during my 10 years before that in and out of journalism.

The first blow of this underhanded maneuver to quote, harmonize our laws, that protect the patent rights of our people so they will be like Japan came 2 years ago when a seemingly innocuous change about patent term was snuck into the GATT implementation legislation. I say snuck, because there was nothing in GATT that required us to change the length of our patent

term the way it was presented. What they did is put something into the GATT implementation legislation that was not required by GATT.

Many American people do not understand and say, ''Well, what does that have to do with anything?'' What it has to do with it is the Members of this Congress voted for a thing called fast track.

□ 2200

I voted for fast track. I voted for fast track because I believed that setting up a world trading system was important and that if part of what that would do is that would say that when the President came back to us with an agreement, with his international trading agreement, we would then just vote on that agreement and it would be all or nothing. We could not amend it. Thus it is called fast track. We could not amend and would have to vote up or down on the bill. But part of the agreement that we thought we had by giving the President fast track was that nothing would be put in the GATT implementation legislation on that vote that was not absolutely required by GATT.

So in order to achieve this change in the patent law here, which was not required by GATT, they snuck it into the implementation legislation so that in order for us to defeat it, this body would have to vote against the entire world trading system. Well, does that sound like a Democratic maneuver? This was the most underhanded maneuver that I had ever seen, especially for a change that will have long-term implications for the well-being of our country.

The change, as I say, seemed innocent enough. In fact, the change in the GATT implementation legislation sounded like it was expanding the length of our patent term. Traditionally, as I have said, when someone applies for a patent, no matter how long it takes them to get that patent, it will be 17 years of protection that they have to recoup their investment and to profit from their invention after the patent is issued. So after that patent is issued, they will have 17 years.

That is what we have had for over a century. That is the incentive people have had to invest in new technologies. That is what incentive people have had, like this black gentleman who invented the shoemaking machine, who lived years in deprivation in order to invent the machine, because he knew he would benefit for 17 years of ownership after that machine was put on to the market and he was issued his patent.

Well, they changed that. They changed. They eliminated that guaranteed patent term, and, in exchange, what do we have? We were given a patent term that is 20 years from filing. Now, does that sound like they are extending your patent term? Well, no; in fact, what is happening is that the 20-year-from-filing term means that once you have filed for your patent, 20 years later, no matter how long it takes you to be issued your patent, you have no patent rights left.

So that means if it takes 10 to 15 years, as many breakthrough technologies have taken, a long time to get their patent issued, because sometimes in these modern technologies they are hard to understand; 20 years from filing means that if it takes them 15 years to get their patent issued, they have only got 5 years left of protection. Five years left of protection.

That means that every inventor, then, like in Japan, is totally vulnerable to the bureaucracy and totally vulnerable to big interest groups that might try to interfere with the process; might try to stop the patent from being issued in one way or another.

No, what we did in the GATT implementation legislation to the patent term was the most dramatic attack on patent rights, on fundamental right of Americans that I have seen in my lifetime. But because no one could understand it, it just slipped right on by. And as I say, I supported the fast track, and I never felt more betrayed than when I realized what had been put into that GATT implementation legislation when it was not even required by those negotiations.

Well, when I began to complain about it, I was promised by the House leadership, by the Republican leadership of the House, that there would be a chance to correct this problem and that we would have a chance to vote on restoring the guaranteed patent term. That was the promise made to me. So I put together a piece of legislation, H.R. 359, that restores the guaranteed patent term, the right of a guaranteed patent term of 17 years to the American people. It has 202 cosponsors. That piece of legislation was bottled up in a subcommittee for almost a year and a half; not permitted to move to the floor for a vote. And it took a lot of hell raising on the part of a certain Member of Congress to make sure that system started to move, because during that year and a half an expensive public relations campaign was launched.

Huge multinational corporations and foreign corporations, as well as giant American corporations, have moved into Washington, DC, and started an attack on H.R. 359. This bill, they say, is not in their interest. And many Members of this body have been, actually they have been contacted by huge companies saying, well, Congressman ROHRABACHER does not know what he is talking about; this will be in our benefit.

Well, what appears to have happened is that corporate America, giant corporate America, that has ties with multinational corporations and loyalties all over the world, and as we know those loyalties often do not extend to their own American people, they would sell out the jobs of American people in an instant in order to get a 10 percent higher profit margin by investing in a dictatorship like China, well these giant corporate American interests signed off on the idea of diminishing American patent rights. In exchange for what? In exchange for a promise that there would be an international system now which will recognize somewhat and somewhat enforce America's ownership of certain technologies and of patents. Sort of a recognition of patents.

Well, what is happening now would be very equivalent of when Japan began signing agreements 20 years ago to open their markets to the United States; that if instead of waiting to see if Japan would actually open their markets, instead of just signing pieces of paper, that we went right ahead and gave economic concessions to the Japanese that changed America's ability to compete with Japan. It is absolute nonsense.

And corporate America is not, is not, I repeat not, the best group in this country to decide what the rights, economic rights of our people should be. Not to say they do not do a good job, and oftentimes they are, yes, profit-making companies of world scope, but, quite often they have absolutely no commitment to the freedom and ideals that our forefathers talked about. They are looking at the bottom line. In this particular case their bottom line is very, very shortsighted, and really, in the end, has diminished the rights of the American people in a way that will dramatically hurt our prosperity.

Well, the second shoe during this year and a half when my bill was bottled up, the second shoe has fallen. A bill has been introduced, H.R. 3460, which finishes the harmonization, completes the harmonization that we, that our government, that this unelected official, Mr. Layman, has agreed to do, the harmonization of our patent laws.

What does H.R. 3460 do? This bill is so transparent I do not understand how any Member of Congress could vote for it. I call it the Steal American Technologies Act. And I hope that Members of Congress are contacted by their constituents about this bill, 3460, the Steal American Technologies Act, because when they hear what this bill does, common sense will tell them what is going on; that we are in the process of seeing one of the greatest acts of thievery from the United States of America in the history of our country.

This patent bill, this supposed patent bill, H.R. 3460, says this: that if our inventors apply for a patent, 18 months later, whether or not the patent has been issued to the applicant, all of the details of that patent application, every blueprint, every last piece of information, will be published for the world to see. Now, do you understand what I am saying? This law is an open invitation to the thieves of the world to steal American technology from American inventors even before our inventors have been issued their patent.

This is the same mentality at the patent office, which recently led our

patent office to give its entire database to the Red Chinese. And what was the excuse when we were asked, well, why did you do that? They said, well, then they will know what technology not to steal.

This is beyond imagination, but it should be understandable to the common sense of the American people. I would hope that they know that in this Democratic process they can talk to their Congressmen, who will be voting on 3460 and voting on my bill as a substitute, H.R. 359, because common sense tells you that before you issue a patent to someone you do not disclose all of his secrets.

Ironically, when this bill was going through the subcommittee, I was sitting in my office with a manufacturer of solar technology. And I asked him, and this is at the same moment that the subcommittee was passing H.R. 3460 out, I said what will happen if this bill actually goes into law and when you file for a patent after 18 months, whether you have been issued the patent or not, that it gets published for the whole world? And his face reddened and his fist balled up and he said, Congressman, if that happens, that means that my technology, that we have spent so much time to develop and our investors here in the United States have invested in, that means my competitors overseas, the Chinese and the Japanese, or anybody else, will be in production of my technology, making a profit from it, before I am issued my patent and before I can go into production. Which means, if I try to fight them later, they will be using the profits from my technology to defeat me and probably put me out of business.

Talk about an outrage. It does not take a rocket scientist to figure out what is going on here. American technology is being put in jeopardy. For what? To harmonize our laws with Japan. And in Japan, of course, when a young inventor invents something, or a poor inventor or a small businessman invents something, in Japan over these years, the big companies have run roughshod over those average people and stolen their wealth and stolen their technology, and they know not to raise their head up and to protest.

By the way, there are other parts of this H.R. 3460, the Steal American Technologies Act. Know what the other parts are? They are not only going to attacks the rights of American citizens to a guaranteed patent term, they are not only going to take an inventor's rights away from him to have his invention secret until he is issued a patent, but they are going to change the system, the government system itself.

They are going to take the patent office and they are going to, what they call corporatize it. Now, I am a conservative Republican. I am all in favor of privatization. Now, you would think, oh, here is an idea where you take something done by the government and take it over to the private sector. Well, I was Ronald Reagan's speech writer. I talked about privatization all the time. You would think I would be in favor of it.

□ 2215

Well, it is just like the foolishness of changing the patent term to 20 years. That did not help us either. What it was was 20 years that ends up with 5 or 6 years of protection for breakthrough technologies.

No, this type of corporatization they have in mind would take our patent office, which has been part of our Government since the founding of our Constitution and corporatize it. What does that mean? That means that the patent examiners, the men and women who make judicial decisions as to what our rights are to new properties of technology, they are defining what your property rights are for the new technologies that are being created. Those patent examiners are going to lose their civil service protection.

So after all of these years, after 100 years of protection for our patent examiners, they will now be put in a situation where outside pressures will be brought on them because they do not have their civil service protection. This is an invitation to corruption. We have seen an invitation to steal our technology and now we see an invitation to corruption by opening our system up to pressures that it has never been opened up to before.

In one fell swoop, our international competitors will have destroyed the edge that we had on the world, the edge that ensured that America would be not only a land of freedom, but a land of prosperity for the common person. This is not just happening on its own. There are powerful forces at work that are behind H.R. 3460, the Steal American Technology Act, and are trying to fundamentally change the patent system.

Now, why is this? Why would they want to do that? They would want to do that because overseas they too understand that the development of new technology has been America's greatest leverage in our competition with the rest of the world.

What made us competitive? what made our people be able to keep their jobs and have decent standards of living in the past was because we had machines that permitted us to do things that could not be done overseas cheaper with slave labor. And that is ever more true as we enter into a new age where technology is even more important.

America is being neutered of the patent protection and the patent system that has kept our people free and prosperous, and future generations, maybe even our own children, will say, well, did we not always used to be the ones that came up with all the new ideas? Weren't we the ones that were ahead of the game because we were on the cutting edge of technology?

But that will be a distant memory because we will have changed the fundamental laws that made that so with America, because our edge was not because we were of any particular race or religion or culture. It was because our laws developed around the spirit of individualism and creativity and freedom that were consistent with a prosperous society. And now we are, or at least our leaders are, trying to harmonize our laws with those of Japan. That is not the way that we are going to have a better life for our people.

This is a desperate fight. Those who are opposing the Steal American Technologies Act, H.R. 3460, do not have the resources of these big corporations who see themselves as players in the international arena, rather than people who are concerned basically about the well-being of American people.

We do not have the resources to fight them. H.R. 359, my bill that would restore the guaranteed patent term, we have got very few resources behind us.

And even though we have had 202 cosponsors, we have not been able to move it through the system. I would hope that the American people know that democracy still flourishes here because they can get involved. It is not just the people in this body. It is not just Members of Congress who will make the decision.

If people actually talk to their Congressman, if people actually go and ask their Congressman, Hey, how are you going to vote on this Steal American Technologies Act, H.R. 3460? They will find that their Congressman is also listening to them.

And I would hope that we can prove that our democracy still functions and it is not just powerful interests in Washington, DC who want to harmonize our laws with Japan that can guide the future of our country.

I have every faith in this country. With technology, we will continue to be the land of liberty that our fathers foresaw. We will continue to be that hope of the world, that shining city on the hill where even the average people live decent lives if they work hard and are honest.

But this will not happen if in this new age of technology that we have changed the fundamental laws and protections that have assured American progress in the past.

This is a desperate fight and it is a fight not that many Americans understand. Patent law seems such a boring subject. In fact, I cannot get on talk radio programs. People, ask you about this and they say patent law? Are you crazy? Patent law, it is a very difficult issue to understand because it takes longer than 10 seconds to describe it.

But tonight I am telling you that we are in the midst of a battle that will make all the difference. If this scheme to harmonize our technology laws with those of Japan succeeds, our people will pay the consequences.

Now, what is the excuse the other side uses? Obviously, people honestly disagree. Not everybody on the other side is for bringing America down.

Most of the Congressmen on the other side of this issue have been told, well, the reason we have to change this law is because there is something called a submarine patent. That this is a big problem.

What a submarine patent is that if somebody invents something and instead of trying to get their patent, like almost everybody wants to get their patent as soon as possible, 99 percent of all inventors are struggling, please give me my patent as soon as possible. They want their patent, but some, maybe a few, maybe 1 percent, I do not know, are trying to elongate this. They are actually playing the system so that the patent is not issued right away and so that when it is issued and they have that 17 years, it is actually a much longer period, maybe 20 years or maybe 25 years.

This is a very small problem numerically. Only a very few people want this, because most inventors know that technological change is happening so quickly, they have to get the patent issued so quickly because otherwise they will lose out, because new technology will be developed.

But we are told that this problem is so important. I would say that I believe this is a small problem and can be dealt with. I have told everyone in this debate, I will support any effort to deal with the submarine patent problem that does not eliminate the guaranteed patent term. And I have been willing to compromise for 1½ years on this, but yet it is funny. Those proponents of H.R. 3460 were never able to come back to me with what I asked.

I said, anything except eliminating the guaranteed patent term we can put into a bill and then that will work on these people who are trying to elongate the process. I, in fact, even put something into my bill that said if someone is elongating the process and not trying to get their patent issued, that after 60 months it will be published whether or not the patent has been issued.

And so, I said, okay, if someone is intentionally trying to get their patent so it is not issued, let us clamp down on that. But no one would ever come up with these suggestions. All they would suggest is we have got to eliminate the guaranteed patent term. That is all. That is all we can do. There is no other alternative but eliminate that guaranteed patent term.

It is very similar to saying I have got a toe that really hurts me, and so what I am going to do is cut my foot off in order to make sure my toe does not hurt me anymore. And that is the answer I have been getting back.

But some people, and many people in this body will never look at this issue with any depth because they are involved with many other issues. The issue we just heard about, the FDA, some Congressmen have spent enormous time and effort to try to get reforms in the FDA. They probably do not know about this patent issue, and they may accept the arguments of these big companies, these multinational corporations saying that in order to stop this submarine patent we have actually got to make this change or we have got to have a harmonization with Japan.

Well, we need to make sure that the American people and the American workers speak up. It should be evident to everyone that we are not going to have a better system by eliminating the civil service protection of our patent examiners by opening that up to outside pressures and corruption. That is not going to help anything.

We are not going to have a better system if our inventors do not have that guaranteed system because what will happen, if indeed their patents are held up as compared to past patents? For example, you know, we know that no matter how long it takes the bureaucracy to work in the past, they have had 17 years of protection. If they end up with 5 years of protection because it has been held up 15 years and there is only 5 years left, who is benefiting by that?

Well, look very closely. That 5 years, instead of 17 years worth of protection, that 5 years is going to result in very few royalties as compared to the 17 years of protection. Those hundreds of millions of dollars of royalties, even billions of dollars of royalties that would have been coming to the United States now are going to be in the bank accounts of huge foreign corporations that will not have to pay the royalty, even if they do not steal American technology and they just pay for it via a royalty.

So they, themselves, if they operate totally legally within the new system, will find that the wealth that should be coming here for our ideas and creativity will be staying right in those foreign bank accounts.

This is not the way to make it better for the United States, and it certainly will not make it better if every time our people come up with a great new idea—I know some people who have developed a new system that will dramatically bring down the pollution coming out of automobile engines, dramatically reduce this. They have been frightened to death because they are afraid that before they can actually go in the market with their invention, that what will happen is the word will leak out and all over the world, people will be stealing their technology and what they have a right to receive the benefit from developing this, that they will lose the profit from their own invention and never be able to recoup it.

Well, under the system that they are talking about, the Steal American Technology Act would say to my friends, You cannot file for a patent unless you are willing after 18 months to let everybody in the world know about every single detail of your invention.

Is this going to spur innovation and creativity and wealth creation in the United States? Our people are going to pull back. Investors not going to invest in American technologies. That is not going to make things better.

The shortening or eliminating the guaranteed patent term will hurt our major universities. One of the biggest supporters of my legislation, H.R. 359 are American universities, MIT, Harvard, all of these universities that have patents and know that they need a guaranteed patent term for them to have an asset.

Also the small business community is dramatically behind H.R. 359, and opposed to the H.R. 3460, the Steal American Technologies Act.

We have the little guy versus the big guy. That is what is going on in a very quiet but crucial struggle in Washington, DC, today. The little guy versus the big guy.

I believe in the United States of America. I believe the little guy can still win. I believe the small inventor who comes up with a new idea has been the main spring of the progress and the prosperity that we have had in the United States of America. And I know that if the American people can understand what the essence of this issue is all about, that they will insist that their Congressman not support the Steal American Technologies Act, H.R. 3460, but instead, will demand that the guaranteed patent term that we have enjoyed as a right of Americans for over a century be restored to the American people.

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This, as I say, is a fight that probably will not even be noticed in the history books; especially if we win, it will not be noticed. People will never know about this fight if we win. The American standard of living and American competitiveness will be what it is.

Mr. Speaker, this is something that people have learned to take for granted. We have taken it for granted that young people have great opportunities in their lives. We have taken for granted that they wear shoes, that there are shoe for everybody in our society. We take that for granted. That has not been the history of the rest of the world. If we harmonize our laws and we downgrade our rights so that they are the same as every other country in the world, America will not be America.

So tonight, I hope that this battle will not be remembered because, if we win, people will just go right on and take this for granted. But if we lose, someday someone may read this CONGRESSIONAL RECORD and say this was a crucial turning point and no one ever noticed because the concept of patent law and intellectual property rights was just too esoteric for regular people to understand. This is at a time when we are going into a global marketplace, into a new era of technology, when as never before the standard of living of the American people will be tied to innovation and tied to creativity and tied to the new technologies of the coming age.

Mr. Speaker, I hope that those future Americans will not have to look back in the CONGRESSIONAL RECORD and see this speech and say it is too bad they did not recognize what was going on and complaining about the system. Instead, I hope that they never read that because the freedom and progress that we have is taken for granted and will be the same freedom and progress 100 years from now and 20 years from now that it was when our forefathers, Benjamin Franklin, that great technologist, Thomas Jefferson, these great champions of human liberties, not just for Americans but for all people, when they founded our country 225 years ago.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today and on May 30 on account of illness in the family.

Ms. MOLINARI (at the request of Mr. ARMEY) for today and the balance of the week on account of maternity leave.

Mr. POMEROY (at the request of Mr. GEPHARDT) for today on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. NADLER, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. MCINTOSH, for 5 minutes, on May 30.

Mr. JONES, for 5 minutes each day on May 30 and June 4.

Mr. RIGGS, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes each day, today, and on May 30 and 31.

Mr. DORNAN, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, on May 30.

Mr. HOEKSTRA, for 5 minutes each day, today, and on May 30.

Mr. MILLER of Florida, for 5 minutes, on May 30.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. TAUZIN, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. NEY, for 5 minutes, today.

Mr. LUCAS, for 5 minutes, on May 30.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. HAYWORTH, for 5 minutes, today.

Mr. HOKE, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous matter:)

Mr. WARD.

Mr. WYNN.

Mr. LEVIN.

Mr. FRAZER, in two instances.

Mr. STARK.

Mr. MORAN.

Mr. SCHUMER, in two instances.

Mr. SKELTON.

Ms. WOOLSEY.

Mr. RAHALL.

Mr. OBERSTAR.

Ms. KAPTUR, in two instances.

Mr. FILNER.

Mr. KILDEE.

Mr. ACKERMAN.

Mr. ORTIZ.

Mr. GORDON.

Ms. PELOSI.

Mr. PAYNE of New Jersey, in two instances.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. HOKE, in three instances.

Mr. SHUSTER.

Mrs. ROUKEMA.

Mr. SCHIFF.

Mr. KLUG.

Mr. KNOLLENBERG, in four instances.

Mr. HAYWORTH.

Mr. LEACH.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following title:

May 22, 1996:

H.R. 2066. An act to amend the National School Lunch Act to provide greater flexibility to schools to meet the Dietary Guidelines for Americans under the school lunch and school breakfast programs.

May 23, 1996:

H.R. 1965. An act to reauthorize the Coastal Zone Management Act of 1972, and for other purposes.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 32 minutes p.m.) the House adjourned until Thursday, May 30, 1996,at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3179. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Vegetables; Import Regulations; Modification of Regulatory Time Periods for Imported Onions (Docket No. FV95–980–1FR) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3180. A letter from the Administrator, Cooperative State Research, Education, and Extension Service, transmitting the Service's final rule—Rangland Research Grants Program; Administrative Provisions (Workplan Number: 95–006) received May 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3181. A letter from the Acting Administrator, Farm Service Agency, transmitting the Agency's final rule—Wetlands Reserve Program (RIN: 0560–AE83) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3182. A letter from the General Sales Manager, Foreign Agricultural Service, transmitting the Service's final rule—Regulations Governing the Commercial Sales of Agricultural Commodities (RIN: 0551–AA43) received May 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3183. A letter from the Administrator, Foreign Agricultural Service, transmitting the Service's final rule—7 CFR Part 6—Import Quotas and Fees; Final Rule to Eliminate Certain Obsolete Subparts (RIN: 0551–AA46) received May 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3184. A letter from the Director, Financial Crimes Enforcement Network; transmitting the Network's final rule—Amendment to the Bank Secrecy Act Regulations Relating to Orders for Transmittal of Funds by Financial Institutions (31 CFR Part 103) (RIN: 1506–AA17) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3185. A letter from the Acting Director, Office of Thrift Supervision, transmitting the Office's 1995 annual report to Congress on implementation of the Community Reinvestment Act, pursuant to 12 U.S.C. 2904; to the Committee on Banking and Financial Services.

3186. A letter from the Assistant Secretary, Department of Education, transmitting Final Priority—Training Personnel for the Education of Individuals with Disabilities Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

3187. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final priorities contained in the notice inviting applications for new awards for fiscal year [FY] 1996—Foreign Language Assistance Grants (State educational agencies) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

3188. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final priorities contained in the notice inviting applications for new awards for fiscal year [FY] 1996—Foreign Language Assistance Grants (Local educational agencies) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

3189. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final funding priority for Training Personnel for the Education of Individuals with Disabilities Program—received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.