

the budget by the year 2002, while we let the American people keep more of their own money and at the same time save the Social Security system. If we go past 2002 and we talk about how we pay off the debt, as we pay that debt off we are restoring those funds in IOU's and the Social Security trust fund now, we can do these things if we just control new Washington spending programs.

This is not even about going into programs that currently exist and somehow destroying them or attacking them, because the revenues are so much higher than what anybody anticipated, the economy is doing so well, that this is no longer about the things that were talked about 2 years ago. This is now just about controlling our desire in Washington, DC to spend and spend and spend in new Washington programs to satisfy some constituency.

We need to regain that initiative. We need to regain what we came here to do: Balance the budget so our children have hope and opportunities in this great Nation we live in; preserve Social Security and Medicare for our senior citizens; and for goodness sakes, let the American people keep more of their own money. It is their money, not Washington's money. That is how we preserve this Nation for the next generation, and that is what I hope our service to this country is all about.

SOUNDING THE ALARM FOR AMERICA'S PATENT SYSTEM

The SPEAKER pro tempore (Mr. MANZULLO). Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. ROHRBACHER] is recognized for 60 minutes.

Mr. ROHRBACHER. Mr. Speaker, next Thursday, April 17, the House of Representatives will make a crucial decision, and this decision has yet to be covered by the mainstream news media of the United States. Thus, the American people are for the most part unaware of this oncoming threat to our country and to the well-being of our citizens.

So let me sound the alarm bell, and that is what I am hoping to do tonight, sound the alarm bell. In the next few minutes I will be exposing a maneuver which, if successful, will do incredible long-term harm to the United States of America. Yet, at this moment, this legislation is being quietly maneuvered through the process and is likely to pass a vote in the House of Representatives and be made into law.

What I am referring to is dramatic and fundamental changes that are being proposed to be made to America's patent system, a system of rights and government institutions that have ensured that the United States has been, since the founding of our country, a technological leader in the world; that our fellow Americans, basically, were the inventors of the reaper, the inventors of the telegraph, the inventors of

the telephone, the inventors of the television and of the electric light and the airplane and the microprocessor, and the MRI and other marvelous health technologies that we enjoy today, that have made our life a quality life compared to what it was just a few short years ago. Those Americans were the ones who invented these fabulous technologies that changed the way of life for the people of this world and uplifted the standard of living of the American people. That was no mistake.

We had patent laws and a patent system that protected the individual and made it profitable for investors to finance the development of new technologies. Written into our Constitution is the establishment of the patent office. Now, most people do not even understand that. They have no idea that we are any different than any other country of the world when it comes to technologies and inventions. They have no idea.

They know that we are different than other countries in the world in that we have freedom of speech, that we have freedom of press, we have freedom of religion, and that we respect the rights of the individual, and that was the purpose of our Founding Fathers, to establish a government that would protect people's rights. Yes, people know that about the United States, but they do not know one of the major factors that have given them the standard of living, given our people the standard of living that they enjoy, that has meant that they have reasonable and decent lives, was the fact that there were other protections in our Constitution, protections for the rights of people who invented and created things, things that would improve our lives.

From the earliest days of our Republic we had these protections and we had a patent office, actually part of our Federal Government since the time our Constitution was written. In fact, up until 2 years ago we had, as protected by law, by the United States law, all the way from our country's founding until 2 years ago, we had something that was called the guaranteed patent term.

Now, what is that all about, a guaranteed patent term? Well, what a guaranteed patent term has been in the United States of America is something that has ensured that we have been the ones who invented all of these wonderful things. The guaranteed patent term, from the time of our Constitution until two years ago, was that when someone had invented something, when they went to apply for a patent, that inventor, once that inventor applied for the patent, no matter how long it took the patent to be issued, the inventor was guaranteed a certain patent, legal patent term. At first it was 14 years and then it was expanded over 100 years ago to be 17 years, so we have had a guaranteed patent term of 17 years.

Now, what difference does that make, people will ask. Well, they did not have

this in other countries. Inventors had their ideas stolen from them by very powerful people, and in fact, in other systems, it would be so mixed up in the bureaucracy, a person would never be granted a patent until 10 and 20 years after they applied. But in our country they knew that no matter how long it took a patent to be issued, they would have 17 years to recoup their investment.

This meant that people invested in our country, the private sector invested in new inventions and new ideas, which made all of the difference in our standard of living. We did not have to rely on the government to invest in new technology development because we had people in the private sector who would seek out inventors and creative people and give them money voluntarily to try to provide them the resources they needed to invent the telephone.

How different would our lives be today if the telephone had not been invented? How different would our lives be if these inventions that created the bountiful harvest of food in our country had not been invented? But private inventors sponsored by private investors did the job because they were guaranteed 17 years of protection.

Well, 3 years ago, and I am sorry to inform those of you who are reading this for the first time or listening to this for the first time, 3 years ago our right to a guaranteed patent term, a right Americans have enjoyed since the founding of our country, was taken from us and taken from us in a very stealthy manner, so most of the American people have no idea that this right has been taken away and what the implications of that right are.

The fact is that that right was taken away by a provision that was snuck into the GATT implementation legislation. That GATT implementation legislation of over 2 years ago now, 3 years ago actually, basically replaced the 17-year guaranteed patent term with an uncertain patent term. In fact, just a look at this issue from a distance, some people actually thought the patent term was being expanded and made longer.

Instead, what happened was, 17 years of a guaranteed patent term was exchanged for a patent term which is called 20 years from filing, and it sounds like there would be even more protection. Nope, no. In fact, what this did was take a situation where you were guaranteed, you knew how much time you would have in a patent and you were guaranteed that as a right, and instead, because the clock was ticking against the bureaucracy and this deterred people from trying to interfere with the process, now we have replaced it with 20 years from filing.

What that means is, once someone files for a patent, the clock is ticking against that person. The clock is ticking against the inventor, against the investor, and whatever time it takes is taken away from their time of protection, away from their property rights.

This will be a dramatic decrease in the amount of money that is spent in the United States to develop new technologies, the technologies that will keep us the No. 1 leader in the world economically. These new technologies are the only things that permit us to out-compete the slave labor and the cheap labor overseas. It is the good technology that has permitted the American people to increase their standard of living. But no, now that has been taken away, or it was in the GATT implementation legislation which eliminated the guaranteed patent term.

By the way, if someone's patent takes 15 years to issue, as many of our breakthrough technologies do, unimportant technologies issue very quickly, but things that make a difference, I mean billions of dollars of new wealth, that takes 10 years, 15 years sometimes, that means that for those 15 years foreign multinational corporations do not have to pay royalties into the pockets of our inventors.

□ 2030

That is 10 to 15 years that the money is going to be in their coffers instead of in the pockets of American inventors, instead of in the bank accounts of American citizens.

I consider this act of sneaking this into the GATT implementation legislation to be a total betrayal of the people of the United States. I voted for fast track. Fast track, which is what permitted them to sneak this provision into the bill, basically permitted them to change the patent law.

Let me explain how that worked. Fast track means that we as Members of Congress vote to give the right to the administration to negotiate a trade agreement with potential trading partners. The administration, in exchange for that agreement, that they can basically negotiate the agreement and bring it to Congress and put it before Congress, and we were only permitted up and down votes, that is what that fast track means, that we would only be permitted an up-or-down vote on this legislation that had been negotiated with our foreign trade partners.

But in exchange for fast track, the administration had to agree to two things. No. 1, there would not be anything included in the implementation legislation brought to Congress. There would not be anything in that legislation except that which was required by GATT itself. No. 2, we would have ample time, 50 days, to look over the GATT agreement in order to make our decision.

The administration waited until the last possible moment to put the GATT implementation legislation before Congress, just a few days before Congress was to adjourn, and they expected us, in I think it was 10 days, to work on this and to basically approve it without having a chance to read it and look it over.

One of the reasons we want to look it over is to find out what is in the GATT

implementation legislation. Sure enough, there was a provision in that legislation that dramatically changed our patent rights. However, that provision was never required by the GATT agreement itself. In other words, that was not something that they had to put into the bill in order to be consistent with the GATT agreement they had made with our trading partners. Someone had snuck it into the bill.

When I say snuck into the bill, I mean snuck into the bill. I got wind there was some change going to be made in our patent laws, so I began calling the Trade Representative and others in the administration, asking whether or not there was actually going to be a provision in the GATT implementation legislation that changed American patent law. I was told that I did not have a right to know.

I, an elected representative of the people of the United States, as are the rest of my colleagues, and the administration told me I had no right to know what was going to be in a piece of legislation that was to be presented to the Congress of the United States? That is not only a betrayal, but an arrogant betrayal of the American people.

Basically, Mr. Speaker, we ended up in a situation where the Members of Congress were forced to vote in favor of the GATT implementation legislation that included a major change, a fundamental change, in the protection of American technological rights. We were forced to vote on that as one package. In other words, we either accepted this drastic change, this drastic change in American patent law protection, or we had to vote against the entire world trading system. We had to isolate the United States from the entire world trading system.

That was a betrayal, and I will never again vote for fast track authority going to this administration, under any circumstances. They lied that time, and I say lied, and that is exactly what this was, was a lie when they presented it to this body with a provision that was not mandated by the agreement itself. They lied when they said they would give us ample time to discuss the issue.

During my efforts to basically return to the guaranteed patent term and to try to stop it from going through in the GATT process, I learned of an ongoing plan that was aimed at, and I hesitate to use these words but they are accurate, aimed at destroying, that is right, I said destroying, the American patent system.

The American patent system, which has been the gem of our society, which has permitted us to develop technologies that will actually change our way of life and make our lives better as compared to other people around the world, the gem that has improved the life of the average person in our country as compared to the life of people in other countries, this gem is being destroyed.

The patent system that gives us the technological edge is being destroyed in a very hushed and quiet manner, and it will come to a vote, the next step in this process, it will come to a vote on the floor.

Mr. Speaker, here we are facing a very quiet maneuver, something that has been kept out of the mass media, something that the regular media, the news media in this country has not covered, that is going to make a dramatic change in America's fundamental technology and a dramatic change in our rights and a dramatic change in our standard of living. It will be something that over a long period of time will have a greater impact on our standard of living than our natural resources and the other great things that have made America such a wonderful country.

When did this all start? It is going to come to a head on April 17 when the Steal American Technologies Act, H.R. 400, comes to a vote on the floor of this House. About half of the Members of this House have no idea this bill is coming to a vote and have no idea what this bill is all about.

Four years ago Bruce Lehman, the head of our Patent Office, went to Japan where he signed an agreement with the head of the Japanese Patent Office to harmonize America's patent laws with those of Japan. To put this in perspective, America's patent laws over the history of our country have been the strongest and most protective laws in the world. That is what gave America the edge. Yet Bruce Lehman, head of the American Patent Office, went there 4 years ago, signed an agreement, a hushed agreement I might add, which I did not find out about until years later, to harmonize our law.

He was not signing the agreement to harmonize our law to bring Japanese protection up to the level of protection that is enjoyed and has been enjoyed by the people of the United States. Instead, what Mr. Lehman supposedly, representing the interests of the United States, signed was an agreement to make our system, our patent system, a carbon copy, a mirror image, of the Japanese system.

Let us make sure this is understood. The changes that were agreed to by our representative were to make our strong protection a weak protection like they have in Japan. In Japan, Japanese economic shoguns beat their competition down ruthlessly. If you are not in the "in" clique, you have no rights. The Japanese economic shoguns who rule that society know they have leverage on people because the laws do not protect the individual in Japan. They are aimed at the collective good in Japan, and the individual rights that have been so much part of our system, they do not even think that way.

That has permitted these powerful interests in Japan to keep an iron grip on that society. That is why it has been so difficult to open their markets

to American goods, because we were not dealing with their consumers who would want American products, we were dealing with Japanese powerful businessmen who know what power is all about and had used it in their own country.

Now we are changing our laws, our patent laws, to harmonize with them so they can do to the American inventor and the American people over here what they have been doing to their own people for 100 years.

What is worming its way through Congress is legislation that is implementing phase 2 of this notorious harmonization agreement. Phase 1 of the agreement was, guess what; what do you think phase 1 was? Phase 1 was the elimination of the guaranteed patent term, and the replacing of it with a system based on 20 years from filing, an uncertain term, which is the Japanese system. That was phase 1. That was what we got.

Immediately they tried to implement this agreement with Japan by sneaking it into the GATT implementation legislation, and forcing Congress to either vote against the entire world trading system or ratifying this secret and hushed agreement with the Japanese.

Phase 2 of that agreement with the Japanese is coming to the floor in one week, H.R. 400. How do I know? I know because H.R. 400 includes a provision that would destroy a vital protection of our law, our patent law, and replace it with a provision that comes directly from the Japanese code.

The Japanese code said, you know, it is 20 years from filing instead of a guaranteed patent term of 17 years. We change it to that. What else does the Japanese code say? What is this provision? Hang onto your hats. If H.R. 400 passes, we, like the Japanese, will have a system, a legal system, that mandates that when our inventors invent something and go to apply for a patent, after 18 months, whether or not that patent has been issued, it is going to be published for the entire world to see.

So if we have a system where breakthrough technologies, like the microprocessor or the MRI or the laser system, which took 20 years to get a patent, or polypropylene plastic which was a major breakthrough in the way we packaged things around the world, it took 20 years to get that patent issued, what is going to happen is after 18 months, whether or not the patent has been issued, every one of our technological secrets are going to be published for the entire world to see.

What does that mean? That means our technological secrets will be used by our enemies to destroy us economically. People who hate America, people who want to destroy our way of life, people who want to bring down the standard of living of the American people will have our technological secrets. This is the elimination of a right that we have had as well.

We had a right, from the founding of our Constitution, to a guaranteed pat-

ent term. That was eliminated by this sneaky maneuver in the GATT implementation legislation.

Now H.R. 400 goes the second step and it eliminates what right? From the founding of our country until this bill, if it passes, we have had a right of confidentiality. When an inventor goes with his patent application to the Patent Office, he has had a right that none of that information will ever be published, will ever be published, until his patent is issued. Because once it is issued, he then has protection. He has legal rights, then, that will protect him, and he knows that his adversaries, economic adversaries, cannot steal from him and use his own ideas against him. This was a right our people had.

Members have heard of industrial espionage. That espionage is that we do not want our adversaries to have our technological secrets. H.R. 400 will come to the floor of the House of Representatives a week from Thursday, and it will, if passed, mandate that every one of our technological secrets will be published for our enemies to use against us. It will eliminate the right of confidentiality.

If it does any good, I guess you can say they could probably use this as advocacy, it is certainly going to eliminate industrial espionage. Some laugh. This will be the first step in the destruction of America's ability to compete with other nations where they have cheap labor and slave labor. This will be the first step on the escalator down for the standard of living of the American people, and billions of dollars into the pockets of our worst enemies and competitors.

□ 2045

H.R. 400, I call it the Steal American Technologies Act, there are Members who are advocating this with a straight face and they are saying, if we published this, this will show our enemies what not to steal. Bruce Lehman, head of our patent office, last year was stopped short and believe me, it took all of our effort to do it, in his efforts to do what? What was his plan? He wanted to send the entire database of the patent office to China, the disk. He wanted to send our computer disk with the entire database of our patent office to China.

That is like sending the worst thief in the world the combination of your safe and saying, we are just sending it to you so you will know what not to steal. By the way, that was what he said was the purpose of sending the database, so they would know what not to steal. Something is haywire here; something is haywire here. The news media in the United States is not covering it. The American people do not know about it. And H.R. 400 is being supported by an army of lobbyists from multinational and foreign corporations that are going to meet each and every Member of Congress to try to get them to vote for this heinous piece of legislation. Disclosing all of our secrets? Disclosing all of our technology?

When this bill was first introduced, it had a different name. The name of the bill, now H.R. 400, is guess what? It is the 21st Century Patent Law Reform Act. Boy, does that sound positive. The 21st Century Patent Law Reform Act. What was this bill called when it was first introduced as 1733, which was 2 years ago? This bill, which was introduced by Carlos Moorhead and Pat Schroeder, was first called the Patent Publication Act. They were trying to sneak this through and they had no idea anybody was going to be on to it. That is what happened.

It was called the Patent Publication Act, but it got too hot, because that is the real purpose of this bill. The real purpose of the bill is to force our system to harmonize with the Japanese system so you publicize this. You publicize this after 18 months, you publicize the patent application, but they say, that is all right, we are including in H.R. 400 the right of people to sue, to sue.

If someone, when you have applied for a patent and your patent is published and some Japanese huge corporation or Chinese, like the Chinese army has these big companies now that steal our stuff over in China, if they start using your technology, then you can sue them once your patent is issued. That is what right they have given us. So sue me.

Can you imagine small American inventors trying to go up against these corporate giants, these corporate gangsters in these dictatorships like China or Vietnam or these corporate goons over in Japan?

So now these people who are trying to push this bill through, who have hired lobbyists to come and see your Member of Congress, my Member of Congress, everybody's Member of Congress being visited by these lobbyists, they are doing everything they can to pass the bill. And when you ask them, why are you supporting this bill, people call up their offices, after they have heard about how horrible it is. Every inventor in the United States is desperate to stop this bill. They are desperate. They know what this will mean.

So when people call up their Congressman and they say, why are you supporting this bill, I notice that you are supporting this H.R. 400, the Steal American Technologies Act, and the Member of Congress says, oh, just like the authors of the bill, they have been told that this is what they say, they talk about some really nice reforms in the bill.

There are a few here that are pretty good things in H.R. 400. They talk about, for example, ensuring that patent fees are retained in the patent office to make the patent office better and allowing the patent office to hire new employees, for example, and to protect inventors against fraud from phony advertising, sort of a truth in labeling type provision. That is all in H.R. 400. By the way, I support those

reforms. Those are very good reforms. But those are minor changes compared to what the real intent of the legislation is. They are figleaves. They are covers. They are a facade for something evil that is about to go on in this body.

It is like giving someone a bouquet of beautiful flowers. You have handed someone a bouquet of beautiful flowers. Then the proponents of the legislation hand the bouquet of beautiful flowers, and you are very happy. I have this bouquet of beautiful flowers. But then you happen to notice there are snakes in the bouquet. This bouquet is crawling with snakes as well as flowers. Well, you say, well, by the way, are these snakes poisonous?

They say, let me talk about the flowers, see how beautiful the flowers are here in this bouquet. No, I want to know if the snakes are poisonous because I do not want to hold on to it. Look at that beautiful rose in the bouquet. Why are you talking about snakes when you can look at the rose?

I do not want to take this home to my family. These snakes are poisonous. They will kill my children.

Do not think about that. Look at the beautiful flowers. Let me tell you about all the flowers.

That is what is going on with H.R. 400. They are talking about beautiful flowers, when the bouquet is filled with poisonous snakes. One of the snakes is mandating publication so that everybody in the world can steal it, steal our technology, steal our ideas and use them against us. That is a snake.

I had an industrialist in my office, a guy who ran a small solar energy company. And when this piece of legislation went through committee, and it has already gone through committee, he said, Congressman, if they mandate that I publish all of my patent applications, what is going to happen is they are going to use my patent applications, then will use all of the things that I have spent money for, millions of dollars to develop. They are going to go into production in Japan with my ideas, and all the money that they make from producing my technology they will use against me to defeat me in court and to steal my technology from me in court. They will be using my ideas and my innovation and my development to destroy me. That is a real snake. That is a real poisonous snake. That is what is going to be happening if H.R. 400 passes. That is a threat to our future.

H.R. 400 is the Steal American Technologies Act. But by the way, that snake that I just described, that is about new patents. If that was not bad enough, let me mention another snake that we have found hidden in the bouquet of flowers. I did not find this until recently when we had legal minds go over this bill with a fine-tooth comb, with a microscope.

What did we find? Another snake hidden among the flowers. That is that current patent owners, you see, the one I was just talking about where you

have to publish your patent application, that only dealt with future technology. Current patent owners in the United States of America are going to find that there are provisions in this bill that opens them up to challenge by these huge corporate interests and by foreign and multinational corporations. In other words, once their patent has already been issued to Americans, we are going to find these huge corporate entities overseas coming in and filing court cases and challenging American patents that have already been issued.

Today it is very limited, very limited scope as to what you can challenge someone who owns a patent. They do not want it brought up again and again and again. What H.R. 400 does is open it up to a panoply of issues that you can bring before a court. Every one of our patent owners is going to be put in jeopardy. All of our current technology will be put in jeopardy. Not just the future, not just publication but current technology.

It is going to be challenged by the big boys of the world, both foreign and domestic.

There is a snake. There is a snake for you. How about another snake that we found in the bouquet of H.R. 400. Another snake is the snake that would permit these very same interests to interfere with a patent applicant as the process is moving. Once they find out, once they find out what he is up to because it has been published, they could actually go into the process and interfere with the process. That is what we found out. Can you imagine that. We are opening up, our own people are going to be cut off by the biggest people in the world. They will probably make a little change in the patent and then go in and try to interfere with the process. That is a real snake. That is a snake to everybody.

What about publication, what happens? By the way, one thing you have to understand, if the patent is not issued and you have then published it after 18 months, what happens if the patent is never issued. That means our American inventors are putting their heart and soul and investment in something and it does not pan out and the patent is not issued, what happens is everybody in the world knows all of their work. And if the patent is never issued, they have no rights whatsoever to sue anybody who is using their information.

Mr. Speaker, all of this was confidential before. It only became public up until this bill, if it passes, for since the founding of our country this has all been confidential information.

By the way, there is one big snake in this H.R. 400 Steal American Technologies Act, one big snake in the bouquet that I have not mentioned. It is probably the biggest snake of all. And it is so easy to see that proponents of the bill have had to go a long way to try to disguise it. Basically for the first 200 years of our country, since our

Constitution, the Patent Office has been part of the U.S. Government. We have had patent examiners. Patent examiners make quasi-judicial decisions that determine who owns technology that represents billions of dollars, tens of billions of dollars. These people, they have had to be cleaner than judges because they determine ownership of technology, of property, of what will become money, of wealth.

These stalwart public employees at the Patent Office, these patent examiners, have been shielded from outside influences because they have been Government employees. Do my colleagues know what? In 200 years of this country's history, there has never been a scandal, never been a scandal with these patent examiners. The patent examiners have never been through scandals that have gone through many other different parts of our Government, because they have been shielded. They have been protected from outside influences.

And what does H.R. 400 do to the Patent Office that has been part of the U.S. Government since our country's founding? It obliterates it. It destroys it. It eliminates it. That is it. It takes the Patent Office and turns it into a corporate entity, a corporate entity. Maybe something like the Post Office. They do this in the name of privatization.

I am here to say that I am a Ronald Reagan conservative, I look at privatization as a very good thing. But there are core functions of government, the court system, our military, core functions of government, institutions that are set up to protect our individual rights, and you do not leave that in the hands of a corporate elite. You do not corporatize that. That is a legitimate function of government.

Mr. Speaker, they want to take the Patent Office and turn it into a corporate structure with a private board of directors made up of, and it is mandated in H.R. 400, to be made up of people with a business and financial background, meaning corporate leaders of this country will appoint who is the head of the Patent Office and oversee the policies of the Patent Office. And what effect will this corporatization have on this, on the honesty and the protection of our patent examiners from outside influences?

All I can say is that part of H.R. 400 is a provision that permits this new entity, this corporate entity, the Patent Office becomes a corporatized entity, permits that entity to accept corporate gifts, private and corporate gifts from foreign companies, from domestic companies. It permits this entity which will determine who owns what technology to accept gifts from the people who it is having to decide on who owns what. This is beyond belief, taking our patent examiners and subjecting them to who knows what outside influences by who knows who.

More than that, the new corporate entity will be able to float bonds so

that they can build huge palaces. This is one of the things that Bruce Lehman would like to do. He wants to build a huge new patent building. And by the way, if the new Patent Office corporatization does not have the money for some reason, well, the taxpayers are the ones who have to meet the obligation if those bonds that are floated by this corporate entity are not repaid.

H.R. 400 is the Steal American Technologies Act. It has already gone through subcommittee, passed I think by voice vote, went through committee. I think it passed by either voice vote or a close-to-unanimous vote.

□ 2100

It has already passed through these committees and there is an army of lobbyists in the Nation's Capital, hired by multinational and foreign corporations as well as some of our own domestic corporations, who are here trying to basically do what they have a right to do, which is influence the vote of Members of Congress.

The administration is behind this piece of legislation. They are backing it. Of course, this is the same administration which has been compromised by receiving campaign donations from Chinese interests, from Communist Chinese interests, I might add, by some of the same people we could expect to steal the American technology as soon as it was published. But the administration is backing it.

So we have these forces at play. These forces are working right now and this bill will pass unless the American people personally get involved. This is the way it has always been when there has been a threat to our well-being. Unless the American people get involved, the Government can go in the wrong direction. Unless people actually call their Member of Congress and say, for goodness sakes, oppose H.R. 400, the Steal American Technologies Act, and please support the bill, H.R. 811, Congressman ROHRBACHER's bill, and H.R. 812, a bill which will reaffirm, it is called the Patent Term Restoration Act, reaffirm and strengthen patent protection in America. It is diametrically opposed to H.R. 400.

What we have now are my bill, which would strengthen the patent office, and H.R. 812. H.R. 811, my bill, which would strengthen the American patent protection, over here, versus a piece of legislation, H.R. 400, that would destroy our patent protection as we know it and destroy the patent office.

They are coming to a head on the floor of the House a week from Thursday. What will happen is my vote will come as a substitute motion, which means it will be a vote either for H.R. 811 and 812 or for H.R. 400. If H.R. 400 passes, gets the higher number of votes, it will be passed into law, and I believe it will pass through the U.S. Senate.

As I say, it will have dramatic repercussions. It will be, and I honestly believe,

be a Pearl Harbor in slow motion. Our standard of living, our way of life will be attacked and 20 years from now people will never know, will never know what hit them.

It was just 100 years ago when two young Americans decided that they would set out to discover the secrets of manned flight. Two young Americans, Orville and Wilbur Wright. They did not have a lot of education, but they had freedom and they were Americans and they had a dream. They owned this bicycle shop in Ohio and they read everything they could get their hands on.

Perhaps more than any other Americans, these two young men represented the spirit of what our country was and hopefully always will be all about. Orville and Wilbur there in their bicycle shop, reading and writing letters to people all over the world, struggling to find, to discover that secret, the secret that would permit all of mankind to soar, to soar into the heavens like birds, like meteors.

They worked hard. They had very little money. They had investors. They did have investors, and their investors knew if they discovered this, there would be a time period when their secret would become profitable. They would discover the secret and they would be able to make some return on their money. That is why people invested in them. Orville and Wilbur knew they would have a 17-year guaranteed patent term and they also knew their secrets, what they discovered would be kept secret until their patent was issued.

These two young Americans did what the crown heads of Europe and the huge empires around the world could not do. The Kaiser could not do it. The French, the English crown could not discover the secret, the technology that would permit man to soar like the birds, to fly into the heavens. All they had was their enthusiasm and their freedom.

I visited Kitty Hawk, NC, last year, and it is one of the most inspiring sites that I can imagine. I would recommend that to anyone who is listening or reading this in the CONGRESSIONAL RECORD. Kitty Hawk talks about the indomitable spirit of the American people. They had an indomitable spirit because they lived in a society that protected creators. It protected investors. It protected innovators.

It protected the likes of Orville and Wilbur Wright, normal, common, everyday Americans, rather than a legal system that protected the elite like they have had in Japan, or the elite in Europe and the other countries from which our forefathers and mothers fled to the new world to live a new life and to live in freedom.

So the people like Orville and Wilbur were able to dream great dreams, and one day, and after years of failure and trying again and trying again, they did it. They discovered the secret, and the secret for them was the shape of the wing. It was the shape of the wing that

they had not seen before that permitted them to understand lift; that managed to take mankind off of the ground on the windy shores of Kitty Hawk, NC, and catapulted mankind into a new era.

Here we are, less than 100 years later, less than 100 years after that first flight, and look how this has changed our way of life. Look what their discovery has meant for the United States of America. Their discovery has meant that we have built a tremendous aerospace industry that not only took man to the moon but has facilitated jet air travel throughout this planet, and has uplifted the standard of living not only of the people who work for the aerospace industry, who have good paying jobs, but everybody else who is able to enjoy the goods and services and visits that we have learned to expect as Americans, as part of our way of life and our freedom to travel.

What would have happened if Orville and Wilbur Wright would have had to publish their secret before that patent was issued? Would there have been a Mitsubishi Corp. who would take their invention and create an aerospace industry in Japan, while at the same time using their money and resources to destroy Orville and Wilbur Wright and destroy them in our own court system?

If H.R. 400 would have been in place, what would have happened was that the Japanese would have had all their secrets, and before that patent was issued the Mitsubishi Corp. could actually have come and interfered with their right to get the patent. It could put a challenge on if the patent had already been issued. It could have tied up these little guys from Ohio and tied them in knots, and they could have used the resources from the Wright brothers' own discovery, the wealth that was created by this new knowledge, to destroy the Wright brothers.

Now, that is only one example. That is only one example of how technology and the protection of technology will directly affect our standard of living. Hundreds of thousands of people work in the aerospace industry in the United States today. Good high-paying jobs. That is because it was started with Orville and Wilbur Wright. It was because our creators and innovators have had that protection. And now we are trying to harmonize our system with the Japanese law. We cannot stand by as free people and let this happen. We cannot let it happen.

We cannot let our own huge corporate interests, who are pushing this bill, and they are all of the big companies now thinking that we have to pass this bill. Because of what? They call it globalism. They say that we are entering in this new era of global harmony. Well, Lord protect us from those people who would perfect all of the people of the world. Because usually these idealists who want to create a perfect world end up causing great damage to the people of the United States of America,

to our rights and to our liberty and to our way of life.

Globalism, this thought that has captured the imagination of our corporate leadership, now is being used as an excuse to do things that will hurt the standard of living of the American people and will reduce the protections and the legal rights of our people.

This patent maneuver is just one example of that. It is maybe the first easily defined and easily described example of that. We cannot permit the corporate interests, who basically have the right to live here and enjoy the protection that the American people have given them, and they use their investments to go overseas to countries like China and create factories, perhaps even based on the technology they have stolen from their fellow Americans, we cannot permit this to happen so that our wealth and our technology and our ideas are used against the United States of America in the name of some global concepts.

It is not globalism they want. They are putting that money in their own pocket. They know that and they are justifying that sellout of the American people by talking about globalism.

I have not met any corporate leaders who come into my office and told me about the big meetings they have had with their Chinese leaders on the mainland of China about human rights. They always talk about how most-favored-nation status and trading with the Chinese is going to bring about more liberalization on the mainland of China and more respect for human rights, and yet they have never spoken to the red Chinese bosses themselves about human rights. I guess they think it is osmosis that will create these ideal flows.

Well, I know those people who were sitting in my office trying to get me to vote for most-favored-nation status were really interested in a 20-percent return on their investment rather than investing in the United States of America and getting only a 5- to 10-percent return. I know that is what it is all about. That is fine. If I can vote against it, I will, but I understand where they are coming from.

What is happening with H.R. 400, they have convinced themselves, the corporate leaders have convinced themselves that they are creating this new global economy, and that they can basically bring down the level of protection for American citizens and it will not bother them at all because they are creating this new global economy which will be better for everybody.

No. Their real purpose is to put more money in their pocket and to excuse every dastardly act that they need to do to make that money, even if they are making deals with the worst butchers in the world. The people of Tibet could be totally incinerated tomorrow, millions of them, and our corporate elite would still want to have most-favored-nation status with China.

Where does this all fit in with, of course, the campaign donations made to this administration? Where does it fit in with the subject of patents? It is the Red Chinese as well as the Japanese and other copycats around the world who are going to use our technology. They are going to have the benefits, these monster regimes will have the benefits of all the innovations and creative ideas before our own people are even issued the patent.

That is what H.R. 400 is trying to do. H.R. 400, the Steal American Technologies Act, will give them all that even before the patents are issued. We cannot let that happen. And we can stop it. The lobbyists can be defeated if people let their Member of Congress know that they are opposed to H.R. 400, the Steal American Technologies Act, and want their representatives to vote for the Rohrabacher alternative, H.R. 811 and 812. They can be stopped.

Whether it is Orville or Wilbur or whether it is Tom Edison, or whether we are talking about the people that have come up with the ideas and fought the wars, the people who have built the churches, the people who teach in our schools, the people who make this country what it is, a great and wonderful country, and have defended this country, these are ordinary American people. These are people who have come here from every part of the world to live in freedom, and not to have our laws harmonized downward with the laws that they came here to escape. They came here because this was going to be a better place, where individual rights of all citizens would be protected. The ordinary people of the United States of America. People who are not rich.

Both of my parents were raised on farms. Homesteads. My dad was a marine who fought in World War II. I spent 10 years as a journalist before I got involved in politics, and I did not make much money. It is ordinary people that will save our Republic. It is ordinary people that have saved and preserved our freedom, and this is one of those occasions when the ordinary people of the United States have got to make their will felt or we will see our freedom diminished and we will pay a price in the long run.

I am confident that a week from Thursday when this vote comes, that good will triumph and American freedom will be preserved because the people will speak and they will not let down the Orville and Wilbur Wrights of the past. They will not let down the patriots of bygone eras, and they will not let, in the name of some global concept, our rights as Americans to be diminished and to be frittered away by an elite that seems to have lost their patriotism and their direction and their moral values.

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

□ 2115

THE STRUGGLE FOR FREEDOM IN BURMA AND AFGHANISTAN

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute.)

Mr. ROHRBACHER. Mr. Speaker, I have been involved with many various groups of people who are struggling for their freedom in different parts of the world. Tonight, I would like to mention two of them. One is the people of Burma. The people of Burma are still under the heels of a despotic regime. Let me note that those people in Burma are led by a nobel laureate named Aung San Suu Kyi. Aung San Suu Kyi is one of the true heroes of our day. I would hope that as the American people hear about the issue of patents, which I just described, that they will realize that there are some people, no matter how brutal a regime, that are still willing to trade and do business with countries and governments like that in Burma. That government and the Burmese people are separated by a wide difference in the sense that one is the oppressed and one is the oppressor.

We set our policies, and as Americans we should always be identifying with the people who are the oppressed people and not those people who are the oppressors. This is important for our trade policies as well as our personal and political policies.

The other country I would like to mention is Afghanistan, where the Taliban movement is in control of three-quarters of the country. There is a king of Afghanistan in exile in Italy today who could and offers a positive alternative to the chaos and somewhat repressive nature of those individuals or other individuals seeking power in Afghanistan. I would hope that the people of Afghanistan can someday free themselves from the tyranny of chaos that has gripped them since the Russians invaded their country back in 1979-80.

So tonight, as part of my message, I would hope that people in Burma and the people of Afghanistan who have struggled so long and hard for their liberty understand that while we are here on the House floor debating issues like the patent law and other laws that really impact us greatly in the United States of America, that we also understand that America is a shining light of hope for the people of the world, whether they are oppressed people in Burma or in Afghanistan or elsewhere, and that in Afghanistan, where there is a chance for the king to bring about a new era, that the United States Government backs him and helps to end the cold war which was put to an end by the strength and freedom of the Afghan people.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to: