

You know, we tell Boris Yeltsin, get rid of centralized command bureaucracies, go to the marketplace. Okay, what do you think the Health Care Financing Administration is? It is a centralized command bureaucracy. It is everything we are telling Boris Yeltsin to get rid of. No, we don't get rid of it in round one, because we don't think it is politically smart, we don't think that is the right way to go through a transition. But we believe it is going to wither on the vine because we think seniors are voluntarily going to leave it, voluntarily.

Again, the record demonstrates, that refers to the Health Care Financing Administration, not to Medicare withering on the vine. That is the type of partisanship we should avoid in moving to solve this problem.

Mr. ROHRBACHER. Mr. Speaker, I would hope that we can discuss issues like that in a spirit of camaraderie, except I will have to note that when people misquote other people's positions, they can expect people to get upset about it. I will say that what I have heard personally over the last year is an attempt that I would believe that many Democrats are making to try to frighten the senior citizens of the United States by using misquotes, by trying to present to them the idea that the Republican Party has some idea of taking away their Social Security and taking away their Medicare. I would say I believe that this is an insult to the senior citizens, in particular, of our country, and I think our senior citizens are much more intelligent and will not fall for that type of tactic.

Mr. Speaker, what I would like to speak about tonight with my remaining 3½ minutes is something that is a major threat to the well-being of every American. That is a battle that is going on that nobody even hears about.

What is happening is we are now facing the most severe attack on America's patent system that we have ever had in the history of the United States. Foreigners and multinational corporations have insidiously targeted our patent system and are now, step by step, destroying the patent system of the United States, the patent system which has provided us the greatest source of new wealth creation of any nation in the history of mankind. This has been America's greatest asset, and people are attacking the system. It is being attacked, it is being dismantled, and it is one of the most insidious attacks I have ever seen as a Member of the Congress.

The patent system was first changed in the GATT implementation legislation by a provision that was not required by GATT, but was snuck into the implementing legislation because we in Congress had to vote for the entire legislation or against it, and thus, they were sure they would get the vote for changing the patent system because they knew that we would not just totally abandon the world trading structure.

What happened in that legislation, Mr. Speaker, was that the guaranteed 17 years of patent protection that

Americans have had as a right for the last 130 years was taken away and was replaced by an uncertain time of 20 years. But that 20 years, if it takes you longer, the clock begins ticking when you file for a patent. Seventeen years of guaranteed patent protection meant if you filed for a patent, no matter how long it took after the time it took you to issue your patent, you would have 17 years of protection. Thus, inventors and investors put forth the time and effort needed to keep America ahead of the competition.

If we replace that with a system of 20 years, where the clock starts ticking immediately, what that does is the clock is ticking against the inventor, and if it takes 15 years, 15 years for a patent to be issued, only 5 years of patent protection would remain. Basically our guaranteed patent term, the right to a guaranteed patent term, was eliminated for the American people, something that served us so well.

The second step in this harmonization process, and what is happening is a process to harmonize American law with Japanese law, is actually a destruction of the Patent Office.

H.R. 3460 is a bill that has already passed the subcommittee. This bill, which I call the Steal American Technology Act, would literally destroy the current Patent Office and corporatize it.

Here is a conservative Republican, who usually likes privatization, telling you that this would be horrible. We must protect American patent rights and oppose 3460, which would destroy the Patent Office. We can do this in the time ahead by supporting H.R. 359, which is my substitute, to H.R. 3460.

THE REPORT OF THE MEDICARE TRUSTEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I would like to join my colleagues on this side of the aisle in discussing the Medicare situation. Today the headlines all across the country will be repeating the report of the trustees that in their estimation and in conservative estimates that by the year 2001 the trust fund, which pays for the hospital costs of the Medicare program, will run out of money. That is that the taxes collected under the health insurance program will be insufficient to meet the needs of the senior citizens who are qualified for this program.

In forecasting this outcome in the year 2001, we have to understand that since this program took effect in 1965, that almost every year, or at least every 2 years since then, the trustees have met and have also recommended each time dire consequences of near bankruptcy, and in some cases, within 1 or 2 years. Congress has, in each instance, looked at the Medicare Program, tried to make modification in

order to avert the crisis, and each time that this report was made by the trustees, the Congress has acted.

We are in no different a circumstance than has been the case over the last 20 or 30 years.

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So in trying to take advantage of the trustees' reports today, I want to join my colleagues in saying that that is really not a reason or justification to run roughshod over a system that has made such dramatic changes for our senior citizens for the better.

When you look at what the situation was prior to 1965, you will find seniors almost virtually without health care protection, and the outcome was that their children practically had to pay for the costs of medical care. That was the condition of our society prior to 1965. Today, senior citizens have the assurance and the protection of a Medicare system.

So what we are talking about today and what this whole debate is all about is not frightening seniors. That is not the issue. The issue is the Republican plan which has been brought forth to the Congress and discussed by the media across the Nation, and it is the Republican proposal to restructure Medicare which has frightened literally the seniors across the land, basically because they are not willing to accept the argument of the Speaker that says, we are not doing any damage to the system; we are simply slowing the growth in order to make sure that the deficits are controllable or that we can yield a zero deficit in 7 years.

Well, the whole problem with this debate which the Speaker has now attempted to refocus about reducing the costs is that what we are faced with today is a system of providing universal care to the seniors. If we are going to go with the drastic cuts that the Republicans are making over this 6- or 7-year period, through restructuring, we are going to end intellectual property with a Medicare system that is vastly different, which is not going to provide the kind of protection that the seniors have enjoyed today.

Under the current Medicare plan, seniors across the country are provided certain fixed benefits that they can be assured of if they should require hospitalization. We are only talking about the part A plan. Part B plan is not involved in this trustees' forecast of running out of money by the year 2001.

So as we look at the 6- and 7-year period, which is what the Committee on the Budget is doing in terms of looking at the 7-year deficit, we have to consider that the forecast by which the Committee on the Budget under the chairmanship of the gentleman from Ohio [Mr. KASICH] is doing, forecasting 7 years, is precisely what we have to do with respect to Medicare.

It is the Congressional Budget Office, their own office which is saying that given the current plan, given the current benefits, given the current way in

which Medicare operates that this is the cost of the program that has to be anticipated.

So if we do not follow those cost estimates by the CBO and we come in with \$100 billion, \$200 billion cut, that is a cut; no way other than that is an explanation of what the Republican plan is all about.

So I caution the seniors not to get confused. What we are dealing with here is a major, drastic cut of the Medicare Program, and the dollars are important, but it is the restructuring of this program that is far more devastating.

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). Under a previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 5 minutes.

[Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON of Ohio addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

ORDER OF BUSINESS

Mr. BARRETT of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BARRETT], as the designee of the minority leader, be recognized before the designee of the majority leader for 10 minutes, notwithstanding the Speaker's announced policy of May 12, 1995.

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

There was no objection.

WELFARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Wisconsin [Mr. BARRETT] is recognized for 10 minutes as the designee of the minority leader.

Mr. BARRETT of Wisconsin. Mr. Speaker, tomorrow the House of Representatives will be considering a bill dealing with the W-2 Wisconsin Works Program. I would like to spend a few minutes talking about that bill tomorrow, because I think it is a bill that is frankly a bill that should not be before the House of Representatives.

Mr. Speaker, when I am home in my district in Wisconsin, one of the questions I am asked most often is, Why cannot the Democrats and Republicans get along better? Why does every issue have to turn into a partisan issue? I think that this issue is an excellent example of a time when an issue that should not be a partisan issue has be-

come one, and it has become a partisan issue unfortunately, and I think unnecessarily.

Several weeks ago President Clinton in his Saturday weekend radio address announced that he supported the waiver request that would be coming from the State of Wisconsin. In essence, he offered an olive branch to the Republicans. He said, I agree with you. What is happening tomorrow is that the Republicans are taking this olive branch, they are breaking it in half, and they are sticking it in the President's eye. They are trying to embarrass him, they are trying not to work together at a time where I think Republicans and Democrats can work together. Again, I think that that is very unfortunate.

I think the people in this body should have a little history of the W-2 legislation that passed the State of Wisconsin. This is legislation that passed the State legislature earlier this year and was sent to the Governor. At that time the Governor of the State of Wisconsin used his partial veto power 97 times; 97 times he lined out parts of this legislation that affected 27 different areas of this legislation. He then took 5 weeks to prepare some waiver requests, and last week he announced at a press conference that he would be delivering these waiver requests to the President of the United States. The following morning, he took the waiver requests to the White House.

That day, I called his office and called the office of the Department of Health and Social Services in the State of Wisconsin, since I represent the district that is most affected in this entire country by the W-2 program. I asked for a copy of the waiver requests. Those came yesterday. It is interesting that those came yesterday, because we are going to be voting on this legislation tomorrow.

Let us get to this legislation, because for the first time that I have been able to discover in the history of this country, we are going to have a freestanding bill and the Congress of the United States is going to grant waivers to a State without any prior hearing, without any public input, without any chance for people who are affected by this program to have any input, to have any recourse with their elected officials. The people who are affected by this program are in essence being told, you are shut out of the process.

Mr. Speaker, this is arrogance at its worst. This is an arrogant misuse of power and it is an arrogant misuse of the process of this institution.

Now, what should happen? Mr. Speaker, tomorrow there is going to be a substitute amendment that is going to be offered by the gentleman from Wisconsin [Mr. KLECZKA]. That amendment is going to do several things. First, it is going to encourage the Secretary of the Department of Health and Social Services to grant these waivers, but it is going to encourage the Secretary to do so after the public has been given an opportunity to have

their input. That is what normally happens.

What is ironic about this is that this is a situation where the last time a waiver request was granted by a President without this due process, without the 30-day public hearing period, the courts struck it down. They said, you have to have the public hearing. What is happening here is we are trying to circumvent that process. We do not want the people of this country to have the ability to hear and have the legislators hear what they have to say.

The legislation that is offered by the gentleman from Wisconsin [Mr. KLECZKA] is also going to say that this waiver should be granted if the W-2 waiver requests that have been submitted to the President of the United States are consistent with the public representations that the Governor of the State of Wisconsin has made. That is all we are asking.

We are asking two things: First, that the public have an opportunity to have their concerns mentioned; and second, we are asking that the Governor of the State of Wisconsin, who has made representations on this issue, that the waivers are consistent with those representations. I do not see where that is any great disservice to the people who are pushing this waiver.

I would also like, Mr. Speaker, to talk a little bit about the merits of the plan. Welfare reform is something that everyone in this body is interested in. People from both sides of the aisle recognize that the current welfare system is not working. But as we seek to improve this welfare system, we cannot ignore the fact that real people are involved in this system, that real people are the ones that may be hurt if we act cavalierly.

The Governor of the State of Wisconsin said, oh, yes, there are going to be speed bumps in this process. Mr. Speaker, our job as legislators is to make sure that real people are not those speed bumps, and I represent the district in this country that is going to be most affected by this plan.

I would like to point out just a couple of things about this plan. This plan requires women who have given birth to return to work after 12 weeks. I am not going to debate the merits of that. There are people here who think that is a good idea; there are people here who think that is a bad idea. But what it does not recognize is that by pouring literally thousands more children into the child care system in Milwaukee County, it is going to overload the system. The system is not equipped at this time to deal with that.

What is going to happen? These women are going to be given a choice. They are either going to put their children in substandard care, or they are going to stay home and lose their benefits. We are talking about 4-month old babies here who are going to be put in substandard care or their mothers are going to lose their benefits.

Now, that is under the merits. But I do not want to spend all my time on