

home. Ninety-two percent of the children on welfare do not have a father at home. Those are the kids that do drop out of school, do have teenage pregnancy situations, do have violent crime and so forth.

The fact was unbelievable, but it is that breakup of the family unit. Why is the dad not at home? Because we have a stupid, insane government policy that says if he stays at home, they get kicked out of the housing project because their income will make them ineligible. Does that make any sense?

Would it not make sense to have a housing project where we have stable mom-and-dad relationships, where we can have some model citizens that other folks who live in the housing project can look up to? Does common sense not dictate that we do that?

Instead, we have a Federal Government that says, "No, dad, you are out of here. If you stay here, she is going to lose her benefits," and she cannot go out and find a job and get the benefits and the child care and the health insurance, and she needs that. I do not blame her.

Mr. JONES. The points have been well made. What we are trying to do is to give a program to the States with a financial support because we believe the States throughout America, the 50 States, as has been proven in Michigan and Wisconsin, that the people of the State know what will help those that are dependent on welfare.

The gentleman from Georgia [Mr. KINGSTON] is right. Most of the people on welfare would like to have an opportunity to get off of welfare, but we have a system that punishes them, whether it be that they live in public housing and they go out and get a job and start making a little more money, and they raise the rent and they cannot get caught up. It is the same way with those that want to work.

The point is that we have got to develop a system. I think the States can do a better job—that has been proven—than the Federal Government of saying what works in my country, Pitt County, North Carolina. The State of North Carolina knows better than some bureaucrat that we made reference to 10 minutes ago telling North Carolina or Georgia or Minnesota what works better in their State. Let the people decide. Let the people help people. That is what it is all about.

Mr. GUTKNECHT. If the gentleman would yield, I have had 75 town meetings since I was elected. I did not realize that until we counted.

Mr. KINGSTON. That is extreme.

Mr. GUTKNECHT. That is extreme, but every one of them, I feel better. Certainly we have a few people that disagree with us, and that is part of a democracy as well.

But there is so much common sense among the American people, and they understand exactly what was just said. They understand that the Washington-based, one-size-fits-all, whether we are talking about education, the environ-

ment, whether we are talking about welfare, we can take any issue and they know instinctively that it can probably be run much more efficiently and frankly more compassionately if it is run locally and if we allow people to volunteer and to work together. They know that.

It comes up at my town meetings and I suspect it comes up at every town meeting, that the common sense, the decency and the compassion of the American people is overwhelming. But somehow all of that that we talk about here in Washington is called extreme by some of our friends here in the Congress and by some of the folks in the media, and certainly by the people down in the White House.

But outside of this beltway there is tremendous good common sense among the American people. They understand this. Frankly, I have said this before, I think they are way out in front of us. The things that we are talking about I think the American people understand instinctively.

I know that the gentleman from California [Mr. ROHRABACHER] wants to share some thoughts with us tonight. I wonder if we can kind of wrap up. I do want to talk about some of the other things that we may have heard or learned while we were back in our districts over the Fourth of July break. Does the gentleman from Georgia [Mr. KINGSTON] have any? I have a couple of other points I might share.

While my colleagues think about it, I will share a couple. I was surprised in my district how often the issue of the FBI files came up. Frankly, again, I think the American people are out in front of us and I think they put their fingers on the correct questions.

The first question that they cannot seem to understand and I do not understand is how people could be heard in the White House and not know who hired them.

Mr. JONES. Would the gentleman yield? I am not going to take his time, but I must tell him that is the question that was asked of me numerous times. How could Mr. Livingston have such an important job and nobody knows who hired him? That is the point he is making.

Mr. KINGSTON. If the gentleman would yield, I want to make sure we are all on the same page. The question is who hired Mr. Livingston, and he is the political operative who illegally obtained over 900 FBI files on private citizens and invaded their privacy by looking into those files illegally, and has yet to give us an explanation of what he was doing with them, why and who ordered them, and how he is saying he did not even know who hired him.

Mr. GUTKNECHT. One of my constituents raised a point that I had forgotten, and that is that a number of years ago a guy by the name of Chuck Colson went to jail for mishandling one FBI file, and he went to jail for 3 years.

I think there is an instinctive understanding among the American people

that if they can misuse the FBI against Republicans here in Washington, that they can misuse the FBI against anybody. It can happen to them. It is a grave concern to the American people.

They are happy that Congress is looking into it, but they also suggested that we have to be very careful that this does not become just a partisan political witch-hunt. I think we have to do our jobs and exercise oversight without becoming overly partisan.

Mr. JONES. If the gentleman would yield, because we may in 1 minute yield the time to the gentleman from California [Mr. ROHRABACHER] so he can have a full hour, but I would like to add to the point very quickly that you, with a badge on your lapel that says that you are a Member of Congress, and the gentleman from Georgia [Mr. KINGSTON], you will have a very difficult time, as I would or anyone else in this membership, to get into the White House. Yet we have a man running a security that nobody knows how he got there. It is absolutely ridiculous and crazy.

I think I have about 2 or 3 minutes left. I would like to yield, if the gentlemen would agree, the remainder of my time.

Mr. GUTKNECHT. If I could, just for 1 minute, one other very important question was raised. I think this is one of the best questions that I heard. I am embarrassed that I did not think of it. If this is an innocent bureaucratic snafu, why is it that the bureaucrat who was most responsible when he was called before the Senate, why did he take the fifth amendment? There are a lot of unanswered questions and I think the American people are expecting us to get to the bottom of it.

Mr. JONES. I thank the gentleman from Minnesota and the gentleman from Georgia for participating with me tonight.

FBI FILES SCANDAL

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. ROHRABACHER] is recognized for 60 minutes as the designee of the majority leader.

Mr. ROHRABACHER. Mr. Speaker, I would like to ask my colleagues to continue joining me in this discussion, and then I will use the last half-hour or whatever I have left to go on about the patent issue, which is an issue that I have been championing here, and will go into great detail for the record after we are done with this discussion.

Let me just note that I worked in the White House for 7 years. I was a speech writer for Ronald Reagan during that time period. I am fully aware of the apparatus in the White House, and I was absolutely horrified to see what was going on there in terms of these FBI files.

Let me also note that I was horrified when Billy Dale, who was a hard-working, just regular human being, a civil

servant who spent his time in the Reagan administration but before that the Carter administration, so Democrat and Republican administrations, sacrificed his life, had done a terrific job, always having to improvise because every time it was a crisis getting people here and there, and then to have this person fired dramatically, right off the bat.

This President showed what he thinks of the working people and the standard operating procedures of the White House by firing this civil servant, and trying to replace him with who? Some Hollywood producer who had a travel agency, in order for them to get this person into a position to basically make some money off getting people to and from Presidential functions.

Well, that was totally out of line, the procedure was totally out of line, but the President did that, and now we find out that that was just basically the first significant indication of what this White House was going to be like.

We would not even know about the FBI files, the hundreds of FBI files that are in the hands of a political operative, actually two political operatives, Democrat political operatives people who had been active in campaigns. Not only active in campaigns, but their job in the campaigns was opposition research, dirt diggers.

These people ended up with hundreds of FBI files in their position, and would we know about it if the Republicans had not won control of this body? We had to subpoena these documents. We had to force the White House to give us the documents which eventually led to the information they had violated the procedure, that they were such scofflaws at the White House that they permitted this to happen.

□ 2300

Let us note one thing, Chuck Colson, I was a reporter prior to becoming Reagan's speechwriter, I remember Chuck Colson. I was a reporter during the White House and Watergate years. I remember what Chuck Colson went to jail for. He went to jail because he was in possession of one FBI file and showed half of one FBI file to one person who was not qualified to see that FBI file. And now this administration has put hundreds of FBI files in the possession of political hacks.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, I wanted to make a point. I have a staff member whose file was pulled. I want to give you the background, because when you think about this political operative left over from the Al Gore campaign, this Livingston and Marceca fellow, you think that they are checking out NEWT GINGRICH's file or maybe DANA ROHRABACHER's file, but here is a profile of somebody who they checked on: hometown girl from Savannah, GA, mid-twenty's, graduated from the University of Georgia, comes to Washington, idealistic, as we all see thousands

of young people each year, comes to Washington, gets a job, maybe making \$18,000 a year in the White House. She is not in the inner circle. In fact, she never sees the President. But it is fun and exciting and in her own way she got to help change America. Well, 2 years of that, Clinton wins, she is out. She has moved up the ladder. I hired her for \$25,000 a year in her late twenty's. This is the kind of person we are talking about.

Now she finds out that her FBI file has been pulled and that some sleazy political operative is looking at her college education transcripts, her speeding tickets, her employment records, if a neighbor said something bad about her.

Mr. ROHRABACHER. Every dirty little thing that anybody can say, totally unsubstantiated rumors are put in FBI files. And they are put in there so that later on if there is a problem, people might follow up, the FBI might follow up to see if there was something valid to this terrible rumor.

So this young lady that you are talking about, if she is ever made an enemy of somebody by stealing somebody's boyfriend, if that person is jealous and says terrible things about her moral character, that is in those FBI files.

Mr. KINGSTON. If they can invade her privacy, none of us are safe.

Mr. GUTKNECHT. If the gentleman will yield, I would come back to a very important point that Representative ROHRABACHER raised. That is this whole story started with the firing of the White House Travel Office, and we heard the testimony. We have the documentation, sworn testimony that the reason was they wanted their people out, they wanted out people in. We need those slots. That was a direct quote. That was a direct quote.

What really disturbs me about this story probably more than anything else was they had every right to fire those people. The truth of the matter is, they had the right to fire them. They were at will servants. They could be fired at any time. But they were not satisfied just to fire them. They had to make the story better. They had to embellish the story. They had to besmirch these people.

Mr. ROHRABACHER. They charged them with crimes.

Mr. GUTKNECHT. I will tell you what, what really eats at me more than anything else, maybe it is because my dad is getting on and my father-in-law is now gone, but what really bothered me more anything about that story was that two of the seven of those individuals had to bury their fathers while their fathers went to their graves not knowing that they were not crooks.

In other words, their dads went to their graves not knowing that their sons were not crooks because the White House fabricated these stories. They used the FBI. They abused the IRS. That is all part of the testimony.

Mr. ROHRABACHER. We know what happens when someone is put into this

situation. Ordinary working people, they say, you can defend yourself against these charges. We know what that means. That means that someone's life savings is gone. That means that someone who has been saving up for maybe all their life in order to have a little house at the lake or something or a dream vacation with their wife, that is gone. That is over with. Any of the niceties that they wanted to save up for, gone, because the money that should be going into that which they have worked for and struggled for all their life goes to pay some lawyer to defend themselves from going to jail so that the President of the United States can put a crony in that position.

Mr. GUTKNECHT. It is true that the money cannot be replaced. What really cannot be replaced is your reputation. I cannot imagine much worse than having my daughter call me, as I think Billy Dale's daughter did call him when she saw the story on the national news, where they were accusing him of fraud and so forth. And his daughter said to him, Dad, say it is not so. I do not know how you could talk to your family. I do not know how you could face your family when on the national news you are being besmirched this way.

I sat in these hearings. I was absolutely certain, absolutely convinced that they were wronged and that I told them I hoped that whoever was responsible, and I think we have a responsibility to try and get to the bottom of who is culpable under this, but I told them that I hoped that whoever was responsible would have to pay and pay dearly because it seems to me that where this whole story started with the seven White House travel office employees and then you see the pattern that has evolved, and it is always denial, delay, and they do not want to give the documents.

Mr. ROHRABACHER. How this ties in, of course, is that Billy Dale's FBI file was pulled in order to what? In order to destroy that person, in order to give cover to the President and his clique. They were going to destroy this man, and those are the people now who are in possession of hundreds of other FBI files. This is totally outrageous.

Chuck Colson goes to jail for one half of one FBI file and these people and these media, I might add, who are sitting and letting this thing go by, yes, there is some criticism, there is some criticism, but have we seen the follow-up questions and the follow-up questions at the press conferences that we would have seen if this would have been a Republican administration?

Mr. GUTKNECHT. As the one fellow said, if this was an innocent bureaucratic mistake, why is the bureaucrat most responsible taking the fifth amendment: If it is innocent, I would think they would be eager to get all this information out. They would be eager to get it all cleared up.

But somebody said, Well, the people in the White House should come clean. It only helps to come clean if you are

clean. And the fear and the suspicion that is building here, and I think among the American people, is that there are people inside that White House who are not clean. And there has been things going on there that they are not proud of, no one is proud of. The only way it is going to stop is if the Congress exercises its constitutional responsibilities and actually, the whole system is built on a system of checks and balances. It would not happen if it were not for the Republican Congress.

Mr. ROHRABACHER. This would never have happened, the American people would never know about this had the Republicans not won a majority in this body. Even with the Republican majority, the White House tried to stonewall us every step of the way in getting this information.

Mr. GUTKNECHT. I am going to close. I just want to share one other thing that I learned from one of my constituents, and it is a very important thing. He said, this was several months ago when I was home, he said, sometimes, and we get into this, Republican versus Democrat, he said, it is not Republican versus Democrat. In fact, he said, it is not even really right versus left. He said, it is right versus wrong. And what we have been talking about, some of the instances that we have been talking about tonight, it really is right versus wrong.

Mr. KINGSTON. I want to mention to you on the subject, I sit on the Appropriations Subcommittee, Treasury, Post Office, White House. We fund the White House and we put in an amendment that said that if you worked for the White House, that unless it involves national security, you are not allow to look at anybody's FBI file, period. That amendment was passed on a bipartisan basis. We had a few Democrats who voted "no", but the ranking member supported it and so forth and we passed it.

Because exactly what your constituent said, this is not Democrat versus Republican, this is right versus wrong. If you are over at the White House and you need to look at somebody's files for national security purposes, particularly with all the people who are falling out of airplanes and jumping over the White House fence, I want the President to be protected. I want him to grow to be an old man. I want him to enjoy his last few months of being President peacefully. But the fact is that we do not want people over there on an extracurricular basis invading the privacy of normal citizens.

Mr. ROHRABACHER. This is totally consistent. Even before Billy Dale was fired, I remember when this administration came in, I remember it like it was yesterday, all of a sudden they started calling taxation, what, contributions. And they started calling government spending an investment. Remember that? They would not use the word "taxation" and they would not use the words "government spending."

And when I knew that when someone who is so disciplined to do something so, what I considered disrespectful as to try to just change the words so the American people do not even know what is going on, so they cannot make a decision based on what policies they like or do not like because they are just corrupting the whole language so the American people will not understand what they are talking about, I said, this is one of the most heinous administrations that I have ever seen.

Mr. GUTKNECHT. It is almost 1984. It goes back to that book. But I will say this, again, I will close because I know you want to talk about patents. I think it is really refreshing to go home and have town meetings. And, frankly, I think the American people are a lot smarter than some of the polls and some of the newspaper people and some of the media people and some of the people in this city give them credit for. I think they are beginning to figure this out.

Mr. ROHRABACHER. I had faith that the American people would know that taxes are not a contribution and that all government spending is not just an investment. I think we can trust the American people. It says in God we trust, but was also trust the American people. And we hope that God works his will through the American people. So I wanted to thank you both.

Mr. KINGSTON. I thank the gentleman for yielding.

THE STEAL AMERICAN TECHNOLOGIES ACT

Mr. ROHRABACHER. I appreciate being part of that discussion.

I would like to now talk a few minutes about another issue that is, I believe, perhaps just as disturbing as anything we were talking about in terms of what is going on down at the White House.

I have spoken on the floor on many occasions on this issue. But it has yet to come to the floor because there seems to be some maneuvering going on. The issue I am talking about is whether or not the American patent system will survive as was envisioned by our Founding Fathers and whether the patent rights of the American people will be protected or whether the patent rights as we know them will just totally be destroyed and another system, totally alien to the patent system of the United States, superimposed on us, destroying our rights as Americans and hurting our ability to compete and to produce new technologies.

I have spoken on this so many times that everywhere I go people are asking me, how is it possible that after I have given so many speeches and I have been on so many talk shows that Congress still may pass, and there is a very good chance that this bill still may pass when it comes to the floor, and that is H.R. 3460, I call it the Steal American Technologies Act, how is it possible that a bill like this, like H.R. 3460, that will basically destroy the American patent system as we know it and that will mandate every American inventor

to fully disclose all the details of every new invention that he is working on, even before the patent is issued, how is it possible that patriotic Members of Congress may well pass this travesty into law? This attack on America's future may well pass this body and this Congress.

I am standing here basically by myself tonight. So how is it possible, when this room is filled with all of these people, 435 Representatives, that they could possibly pass a bill like this. Because once you know the basics, that it is going to mandate that every inventor disclose to every thief in the world every secret of new American technology even before patents are issued, that does not take a rocket scientist to know what the outcome of that is going to be.

Yet I am telling you today that when this vote comes to the floor, if it comes soon, it will happen, there is a good chance that the 435 Members of this body will vote to make that part of the law. They will vote to take, which is another part of H.R. 3460, the Steal American Technologies Act, they will vote to take the current patent office, which has been part of the United States Government since our Constitution, since Benjamin Franklin wrote it into our Constitution, and obliterate it, eliminate it as part of the Government and resurrect it in a new form, which is a post office like, quasi-corporate entity that, once resurrected, would be under the control of one director who could not be removed for policy decisions but instead only for cause. Once he is in there, he has almost dictatorial power over the patents issued to the people of the United States.

How is it possible that we would be willing to take this system that we have got that has done so well for America and come up with this result?

Well, it is possible, number one, because there are powerful foreign multinational and even domestic corporations that want to steal people's patents. Surprise, surprise. Is anyone really surprised when they hear that? Is it odd that a foreign corporation or some multinational corporation or even a huge domestic corporation would like to steal people's ideas and not pay them for royalties for their new ideas and their new creations?

□ 2315

Well, that is not odd at all when you think about it. That is not odd at all. It is odd, however, that 435 Members of Congress are going to listen to big corporations and perhaps not take it one step further and say: "Wait a minute. What does this mean to the American people?"

Their interests basically, these very, you know, big multinational corporations, their interests are not the same as those people who are part of the citizenry.

Now, that is not hard to understand as well, and basically these large corporations, unlike the American citizenry, have money to pay for lobbyists,

they actually have access to congressman, they have access to me as well, just like every other congressman. We will listen to the big corporations in our district because they employ a certain number of people in our district, but we have to understand that when we are talking to corporate representative, that that representative may not even represent the interests of his own working people. He may only represent the interests of the people who own that corporation. And Lord know who own these corporations these days. Might be national interests, might be foreign interests, might be who know who is really controlling the board of directors of many large corporations?

But one thing is for sure: That corporate entity does not necessarily speak for the well-being of the community, or the State, or the country, or even the employees of that corporation, to some degree.

Now, they claim, the big corporations claim, that the reason why they are backing, the most of the large corporations are backing, this H.R. 3460, the Steal American Technologies Act, they claim the real reason they are doing that is to stop a few inventors from gaming the patent system. It is called submarine patenting. That is what they claim is the reason that they want to make these drastic changes in the patent system of the United States of America: because these few people, they are gaming the system, and by doing so they extend the length of time that the patent will be actually in force in the outer years when that time period would not really be due to them had they not, quote, elongated the system and worked it.

Well, to stop this submarine patenting, these powerful forces claim that we must destroy the whole payment system. That is a patent system that has served us well since the founding of our country. We cannot do other things that will perhaps try to solve the problem for administrative, you know, focus on the problem. We cannot do things by trying to basically just single out submarine patenting and say these are the things we need to do to solve that. No, we have to basically destroy the American patent system and replace it with something else. That is their excuse, that is the basic excuse that they are using for their actions, the submarine patent issues.

Basically it is like a doctor saying: "Well, you got a hangnail. Oh, yeah, I see you're in pain, and I really sympathize with that. Hangnails are problems, and hangnails are bad. Look at how evil hangnails—here is a giant picture of hangnails." And then you hear lectures about hangnails, lectures about hangnails, and in the end the doctor says, "And by the way, we're going to amputate your leg in order to cure the hangnail."

You say: "Wait a minute, doctor, I just want my hangnail cured. Can't you just sort of cut the nail off or something?"

"No, no. We're not going to think of anything else. If you want to talk about anything else, we know you're in favor of hangnails. We're going to amputate your leg."

Well, if you get a doctor giving you that type of, you know, that approach to solving your hangnail problem, you better get yourself a new doctor or you better question what that doctor's motives—or you better question his sanity.

To stop a few inventors from having a couple of extra years on their patent term, the idea of destroying the patent term as we know it, eliminating the guaranteed patent term of 17 years, it is absolutely ridiculous. You basically are declaring war in order to stop some petty theft at a local store.

We must basically—what they are asking us to do is to force all our creative people in the name of stopping a few submarine patentors who are gaming the system to elongate their patent by a little bit—basically we are, in the name of doing that, we are going to force every one of the inventors of the United States of America, every one of our creative geniuses, to expose and to publish every detail of the new technologies they are working on. They are saying, on top of that, we are going to obliterate the Patent Office as part of our Government and resurrect it as a quasi-independent, post office-like government corporation.

Now, that does not make sense, that in order to solve that problem that we have got to go to those lengths to do it. That is why I happen to believe that the submarine patent issue is what we call a straw-man argument. I mean it is something that has been created there for people to argue with, and it is really not—you know, really you are not fighting against the submarine patent because the submarine patent issue may or may not be real. It is a problem, but compared—but obviously it is such a small problem as compared to the incredible solution that is being offered us that that may not be the real force that is driving the changes in our patent system.

By the way, one of the things that they are suggesting as a solution to the submarine patent problem is this new system, of course a new patent office, totally new patent office, obliterate the old one that has been serving us since the Constitution, and in the new Patent Office the patent examiners who decide—these patent examiners, they work hard, and they decide who owns these new technologies that are worth billions and billions of dollars. Some of these new technologies will be creating billions of dollars of wealth. The new patent examiners in this new quasi-government, quasi-private corporation will be stripped of their civil service protection, which is an invitation to people from the outside to try to influence the process, and it is an invitation to corruption because these people now will not have their civil service protection to protect them against being fired for unjust reasons.

Now, this is a scenario that we are going to take these civil servants who have been protecting us, that we are going to change the system that has been protecting us and that we are basically going to force our people to publish everything so every thief in the world can see it.

This is an obscene and an insane proposal, and I have no doubt that some of those pushing the H.R. 3460, the Steal American Technologies Act, actually believe that this destruction of the American traditional patent system is necessary because a few inventors, so-called submariners, are gaining a few extra years out of the system.

But I also have no doubt that for many of the multinational corporations pushing H.R. 3460, this submarine issue, like I say, is nothing more than a front, and what they really want to do, what they really want to do is to steal and to control the new wealth-producing technologies that are being invented by Americans, especially those in the years ahead.

So there are some people who are very sincere and, I am sure, have been taken in by the argument. There are also some people who know very well, the corporate interests who are out in the hinterland pushing this, know very well that they want to take American technology and use it without paying for it.

I mean this is an incredible scenario. People can say: Can this really happen in the United States of America?

Yes, it can, and the 435 Members of the body here could possibly pass this bill.

It is heinous, and it is evil, and basically, if they get away with it, they will be not only stealing technology, but they will be stealing the standard of living of the American people's children today. If we Americans lose our technological edge, the standard of living of our people will go down, and our children will suffer because of it. Our Nation will not be able to compete as we are today.

What gives us the competitive edge today? What gives us the competitive edge is the fact that you know people making more money, they have better technology in order to our-compete those poorly paid people overseas.

Yet as I said, Congress may pass H.R. 3460, and why? Because many Members, perhaps a majority of my fellow colleagues who are going to vote on this issue, do not know a thing about it. They do not know about this bill. They are at home now asleep or they are with their families or out to a movie or they are reading their work for tomorrow, their paperwork for tomorrow's committee session. Whatever it is, most of my colleagues are not listening to this. But if your Congressman does not know about it, your congressman, a Congressman from anywhere in the United States could vote on this bill, and you know about it, but that Congressman does not. Someone who is reading the CONGRESSIONAL RECORD or

listening in over C-SPAN will now know more about this bill than their own Congressman, and it is vital, if democracy is to work in an atmosphere like this, that the people get involved in the process because you make a difference; every citizen makes a difference when it comes to a situation where a bill may come to this floor when people out there listening to C-SPAN know more about this bill than their own Representative in Congress does.

By the way, this bill already passed through subcommittee and committee, and it passed through in a breeze. There was almost no opposition in the committee.

Now, I am not a Member of either one of those committees, but I did ask members of the subcommittee and the committee if they knew that the bill that they had voted for would mandate the publication of all of our American ideas to every thief in the world so every thief in the world would know it even before the patent is issued. And I will tell you that Members I talked to said:

"Oh, no. It doesn't do that. No, no, you're kidding me. That bill doesn't do that."

I said:

"Yes, it does."

"No, no, no. It doesn't. No one would put that bill in front of us like that."

The members of the subcommittee, several of the members I talked to, would not believe me that that is in the bill. Because they could not believe that the committee would actually pass something so stupid.

Well, how about eliminating the Patent Office and ripping away the civil service protection from our patent examiners? I asked several of my Democratic colleagues about that.

"Oh, no. That's not in the bill. I didn't vote for that. That's not what happened."

But it was, and the fact is those colleagues that I talked to are very concerned about public employees and whether or not Government people who work for our Government, Federal employees, are being treated fairly, and they could not leave believe that was in the bill. They had just voted for it.

It takes telephone calls and letters from constituents to get the attention of many people who are voting on this floor, especially when they are being approached by powerful interest groups like huge corporations from their own district.

Now, basically there is only one thing that I believed in, can basically stop this underhanded attack on America's future, and that is if our system, as our Founding Fathers envisioned it, works, and meaning that the people of America start working at making sure that our system works. Basically people have got to call their Congressmen or their Representative here in the House and insist that he or she oppose H.R. 3460, the Steal American Technologies Act and support the

Rohrabacher substitute. That is my substitute that I will offer on the floor if this bill gets to the floor, and, as I say, there is some back-room maneuvering going on now that may—that you know, I will have to watch out very carefully for and the American people may have to mobilize to oppose H.R. 3460 at a moment's notice.

My substitute will eliminate the provisions of H.R. 3460 that would critically wound our patent system and replace them with the language in the bill that restores American patent protection. Basically we are going to restore something that was taken away, and most Americans do not even know this was taken away.

Up until this Congress passed the GATT implementation legislation, Americans, as a right just like any other right, the right to go to church, the right to speak, the right to assemble, you name it, that we have a right to a guaranteed patent term of 17 years. This is something we have had. It was 14 years for about the first 50 years of our country, and then after that it was 17 years of a guaranteed patent term. It was always our right to have a guaranteed patent term, meaning no matter how long once you applied for a patent, no matter how long it took you to get your patent, you were guaranteed after that patent was issued that you would have 17 years of protection.

Well, has already been obliterated because into the GATT implementation legislation we snuck a provision that was not required by GATT. This was not something that we agreed to in the General Agreement on Trade and Tariffs. We did not agree to changing that. These people just snuck this provision in even though it was not required by GATT, knowing that we would have to vote for the Whole GATT—you know if we did not, if we wanted to stop this, we would have to vote against the entire world trading system.

□ 2330

So they have already eliminated that. My bill, by the way, H.R. 359, which is my substitute to the Steal American Technologies Act, would restore, would take their language out and put language into the law that restores the guaranteed patent term that was taken away 1½ years ago.

This battle is so vital that I would hate to think that Members are going to vote on this and not be fully aware of what they are voting on. We cannot sit back and expect that that is going to happen on its own. Many Members may think that this bill, when they come in here to vote on it, is just a routine bill that has no interest to their constituents and no long-term interest to the United States of America, because what we have is huge corporations with a lot of money pushing H.R. 3460 on one side, and a bunch of little guys on the other side. We have the Inventors' Association, small business people.

Many of America's universities are on the side of the Rohrabacher substitute, because they rely on the royalties from their own patents to sponsor much of their research at American colleges, and they have come out, MIT and Harvard, many of the major universities in our country, 60 of them have come out in favor of my substitute.

But basically they do not have the money to put in to fight this. They do not have big PR firms coming down to talk to us and lobby us. So basically we have to make sure, the American people have to make sure, that the people representing them in Congress know how important this is.

Let us get down to basics, get down to the basics of why it is important. America has had the strongest patent system in the world since the founding of our country. This is basic to what our Founding Fathers believed in. We needed up, because we had this patent protection, with more freedom and a higher standard of living than any other country in the world. Average people were living well. They had rights. They had decent lives. We were not created by people who thought we were going to be a country where just the elites lived well.

We have seen that erode over the years. But before this time, during the last century and even now, America has been the world's innovator. McCormick, the one that invented the reaper, and Fulton, the steamboat; it was Samuel Morse who invented the telegraph, and Bell the telephone; Edison the electric light; and of course two fellows, two ordinary Americans, two fellows who did not have a big college education, who worked in a bicycle shop, two brothers invented the airplane, invented manned flight.

If they had to change the rules back then, who knows, the Wright Brothers, would they have kept their invention? Maybe Mitsubishi would have come by and stolen their ideas, because it had not been published, so Mitsubishi would hear about it and read about it, and then come into court. And you tell me who is going to win in court, the guys in the bicycle shop, or this huge megacorporation over in Japan trying to steal the patent. Tell me who is going to win in court in a situation like that. We would have ended up with an aerospace industry in Japan, and we would end up with working people in the United States impoverished.

Instead, our Founding Fathers knew the importance of technology and put that right into our Constitution. It did not just happen. Thomas Jefferson and Benjamin Franklin, they understood that. They planned for it. Thank God for our Founding Fathers, thank God for their foresight.

Now we are taking that idea of technology and freedom, and people right now are maneuvering behind the scenes to destroy that basic concept. Other countries, of course, will own their patent systems over the years. Those patent systems were established to help

who? It was totally different than our system. Their patent system was based on the idea that what we want to do is have a patent system so that we can get the information out to as many people as possible, so that our corporations will be able to have all this information, and they will be able to put it into their production processes.

That is a totally different concept than what emerged here in the United States. There they felt it was more of a collectivist approach, and the system was set up to help the hierarchy. Here we believe that patent protection is like the protection of property rights.

In fact, a patent as established by the Constitution is a property right, just like owning a small farm. Our Founding Fathers did not put things in about collective farms, like they did in Russia and all this stuff, because they knew if the individual farmer owned his own land, that we would produce more wealth from it.

They knew also that if you had patent protection, that our creative genius, our American people would come up with ideas that would produce enormously more wealth, and they would do it because we were protecting that new idea as their right for a given period of time, a guaranteed patent term. That served us well because we looked at the invention of new ideas as the creation of new property, of new wealth.

With this, with this idea, as compared to the Japanese system and the European system, which looked at a patent system as just a distribution of information, America became an unmatched economic dynamo in the world. We were on the cutting edge of all new technologies for a century and a half, because we had a patent system that encouraged our people, and that is why we prospered.

Some people say Americans worked so hard. That is why America is a prosperous country, because Americans worked so hard. I hate to tell you this, Mr. Speaker, I have been all over the world and there are a lot of people who work really hard. They work hard. They struggle and they slave and they sweat, and they get nowhere. They have no standard of living, they are treated like dogs. They have no decent living for their family and they have no hope that their family will ever live any better.

Why is that? Because when our people worked hard, our people had the benefit of cutting edge technology. Our people were always equipped with the best technology so they could produce more wealth. When they worked hard, it was as if 20 or 30 or 50 or 100 other people in other countries were working hard, because those people were basically working as slaves. Our people were working as independent, proud laborers and were provided the technology they needed because we had a system that encouraged people to invest in technology; because it was a guaranteed patent term, people would

invest in it, and also inventors could come up with new ideas because they would benefit from that guaranteed patent term.

Basically, with that technological edge, we defeated our enemies in war. We did not win the cold war because we matched the Communists may for man. We did not win the cold war because of that. Everybody knows that. Look back at our other wars. We did not win these wars because our people just, you know, had human wave attacks against our enemies. It was because our people were equipped with the best technology, and we could send them into battle with the dignity of knowing their lives counted, and we were trying to do our best to help them do their mission and come home safely, because we invested in the technology.

That was the same reason we were winning the economic wars. We beat our economic competitors because we had technology. Coupled with the hard work and responsibility of our people, this new technology made sure America beat our competitors and ensured a higher standard of living for our people.

That has not escaped, by the way, the attention of our adversaries. That is very easy to see. Our adversaries understand that fact, that it has been our technology that gave us our leverage. So should it surprise anyone that today our patent system is under incredible attack, and that it is kind of a hush attack, people do not know not know much about it? Even the Members of Congress do not know about it. Even the 430 Members of Congress who are going to vote on this do not know about it.

But I can tell the Members, our economic adversaries know exactly what is going on. They understand that America's patent system has provided us the edge to defeat them in the past, so what they are going to do is just totally change and destroy our American patent system. If it is done in the way, the manner that is going on, they may just succeed.

How we can see this is really easy. Bruce Lehman was appointed by Bill Clinton to head our Patent Office. He is the head of our Patent Office. One of the first things he did was go to Japan, and there in Japan he signed a hushed agreement. I have a copy of that and I put it in the CONGRESSIONAL RECORD a couple of weeks ago.

He signed a hushed agreement with the head of the patent office in Japan, and here are two unelected officials, and what was the agreement? The agreement was to harmonize the American patent system with Japan's. It did not say anything about submarine patents. They are going to claim the reason they are doing everything is the submarine patent, get rid of those submarine patents. But in reality that agreement in Japan mentioned nothing about submarine patents.

What it did say was that our system was going to be cast off, and instead we

were going to have the Japanese system superimposed on us. That is what harmonization means. Harmonization does not mean we are bringing the Japanese up to our level of protection. It means that our people are going to lose protection and our system is going to become like Japan's. What kind of system does Japan have? Let us just remember this.

How many new inventions have come out of Japan in the last 100 years? The Japanese are accurately known as people who are basically copiers and improvers, and basically people who perfect other people's ideas and other people's inventions. They do not, they are not known, because they do not really develop a lot of new technology on their own.

Why is that? Under the Japanese system, yes, they have immediate publication. What happens when they have immediate publication in Japan? Immediately the big guys, the huge corporations and these Japanese conglomerates and these monopolists surround the little guy, and this little guy, or maybe it is just two bicycle shop owners, just two brothers who work in a bicycle shop or something, but whoever it is who has the idea, they are confronted with the most powerful economic forces in society and they are beaten down. They are beaten down and they are destroyed if they try to resist.

The Japanese have had to put up with this, and Japan has been the worse for it, because their creative people have not had the outlook the American people have had. Thus, they have had to rely on the United States and others to produce the technology they need for their whole industrial infrastructure. Now people in our Government are trying to maneuver to make our system identical to what Japan has had in these last 50 years. It is absolutely mind-boggling.

Basically, how are they going to achieve this? Step No. 1, as I said, already happened. It already happened. We had our guaranteed patent term of 17 years and they snuck that change into the GATT implementation legislation, and it sailed right on through. I will tell the Members, I was outraged. I felt betrayed, because I had supported the GATT implementation legislation. I voted for fast track, knowing that there was an agreement that they would not put anything into the GATT implementation legislation unless it was required by GATT itself, and that way they could bring the whole bill here. That is what fast track means, they could bring the whole bill before this Congress and there could be no amendments, you would have to vote up-or-down on it. They snuck this provision in as if it did not mean anything, but it has tremendous implications for our future.

I raised hell about it, and the gentleman from Georgia, NEWT GINGRICH, and other leaders of the Republican Party guaranteed to me that I would

be able to have a chance to rectify that on the floor of the House of Representatives. That is why I then authored a bill, H.R. 359, and submitted that legislation, because I had that guarantee that they would have a chance to rectify it, because it should not have been in the GATT implementation legislation in the first place.

Guess what, H.R. 359 was tied up in subcommittee for over a year. Eventually what came out of subcommittee was not H.R. 359, but H.R. 3460, which is officially the Moorhead-Schroeder Patent Act, which I am calling, and I think more accurately is reflected by the title, the Steal American Technologies Act. So at least, however, I have been guaranteed that if that bill, H.R. 3460, comes to the floor, that I will have a chance to offer my bill, which restores the American patent, guaranteed patent term, as a substitute for 3460.

Basically, I believe H.R. 3460 would finish the job, and if we take a look at it, this is what the provisions are, it would finish the job of harmonization started with this underhanded change in the GATT implementation legislation. America's huge corporations have apparently bought off on the idea that we should have a global economy, and that our harmonization of patent law with the Japanese is the first step toward this global economy.

I happen to believe that global commerce is a good thing. I am not an isolationist and I am not someone who is a protectionist. I believe in free trade between free people, and I make absolutely no apologies for that. If American companies cannot compete, they should not be protected by the Government.

But we should make sure that we set the ground rules up so Americans are protected from having their technology stolen from them and used against them, and basically H.R. 3460 would take us toward global harmonization, a global economy, by destroying the rights of the American people, by attacking our ability to create a high standard of living in America. In other words, they are trying to bring down the standard of living of the American people in order to achieve a global economy; you know, dilute our rights as Americans. It is ridiculous.

□ 2345

What does H.R. 3460 do?

No. 1, it demands that any idea, when an inventor comes in and applies for a patent after 18 months if that patent is not issued, that inventor is going to see his ideas published so every thief, every Asian copycat, every pirate in the world will be able to see it and steal it. No. 2, it obliterates the Patent Office as we have known it since it was put into the Constitution and resurrected some quasi-governmental or quasi-private corporation which is basically run under the dictatorship of one man who is appointed by the President but cannot be kicked out without

cause, not just for policy disagreements. The patent examiners there will lose their civil service protection and there is an invitation to steal our technology and an invitation to corrupt the whole system at the Patent Office. Basically we will have established a czar of the Patent Office for 5 years.

Mr. Speaker, we do not need czars or dictators or kings in the United States of America. We need Government officials who are accountable to the American people for the decisions that they are making. Basically this is a formula for catastrophe. We are basically trying to remake the American patent system into the Japanese system.

I had a Member of Congress tell me today, "Well, you know, if those other countries have certainly gotten their systems ahead of ours and they're more modern than ours, we should have a patent system like theirs."

I wanted to basically explode when I heard this idea that the Japanese system—that has fostered no new improvements, that has kept the Japanese people at the mercy of these huge corporate interests—that that is a better system than ours which was established by our Founding Fathers to guarantee the property rights of our people and has basically given birth to a standard of living and a degree of freedom that the people of the world have never seen before, that the Japanese system is better than ours? Basically there are many people who have influence on the people who will vote on this. There are large corporations, there are people who maybe honestly believe that we have to have a global economy and if it means sacrificing the American people, so be it, because a global economy will bring world peace and all the blah-blah-blah. Well, those people may believe in it. Those people may really believe and there may be some who honestly believe that the submarine patents are so heinous that we can destroy everything in order to get to those few submarine patenters. Let me add this about submarine patenters just to let you know. Ninety-nine percent of all people who apply for a patent in the United States beg and plead to have their patent issued immediately. "Please give me my patent right away," because they know until they get the patent issued to them, they cannot go out and start earning money from it because they cannot get investors, that very few investors will invest in patent pending. But if you have got your patent issued, they will pay attention to you. They are pleading, please, and they know, and these, quote, submarine patenters they are talking about, if they elongate the system, they might find out that they are left behind because new technologies have come along and just left them behind and made their, quote, great technologies obsolete. They know that. The submarine patent issue, some people may believe in it. I hope they listen to the arguments I am presenting because I believe it is a totally fallacious argu-

ment that is being used to justify a horrible, horrible change in our system that will bring about terrible consequences for the United States of America. How can we stop this juggernaut? Those people who honestly believe in submarine patents, if they do, they do. You try to give them the logical arguments. But those other people, those other companies, those other corporations and those people, the influence peddlers they hire, we can stop them because democracy works. We can stop them if people will contact the man or woman who represents them in Congress and say, H.R. 3460, the Steal American Technologies Act, has to be defeated, and the Rohrabacher substitute has to be put in its place. If we get enough people doing that, we will make the system work, I believe it will work, and I believe we will triumph over this, because 200 years ago when our Founding Fathers and mothers established this country, there were so many hardships and there were so many challenges and they knew that people would be coming at us just like this. Our Founding Fathers knew this. They knew that people would say, "Hey, where is America's Achilles' heel?" They knew that. They knew they would come straight forth. But they also knew you could trust the people, you could count on people to defend their standard of living and their families and their freedom. That is what we are up against today. It is a fight for the future of the United States of America. I hope and I pray that the American people will become activated after the Fourth of July and that we will win the day.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. DUNN of Washington (at the request of Mr. ARMEY) for today, on account of personal reasons.

Mr. YOUNG of Florida (at the request of Mr. ARMEY) for today and the balance of the week, on account of medical reasons.

Mr. LONGLEY (at the request of Mr. ARMEY) for today after 3:30 p.m. and the balance of the week, on account of personal reasons.

Mr. YATES (at the request of Mr. GEPHARDT) for today after 5:30 p.m., on account of personal reasons.

Mrs. LINCOLN (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of medical reasons.

Mr. WATT of North Carolina (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 Member (at the request of Ms. PELOSI) to revise and extend her remarks and include extraneous material:)