

malady that is suffered by that individual. We are talking about brain shunts, heart valves, pacemakers, artificial hearts, knee implants, hip; we know the whole list of new and wondrous devices that have been developed over the last several years and which now become almost routine in the lifesaving capacity in which they find themselves.

Mr. Speaker, we have run into a serious problem which we have tried to address both in the last Congress, and now we are going to attempt again to do so. We came across a situation which is very serious. A supplier of materials to a company, let us say, that makes brain shunts, the supplier sends a little piece of wood, sells a little piece of wood to this brain shunt company. I am just doing a hypothetical. The brain shunt company takes this little piece of wood that is innocuous and neutral in its application and uses it as a component part of the brain shunt.

Now, something once in a while may go wrong with the brain shunt and the person who is hurt by it, if it happens that way, will sue not just the doctor, not just the hospital, not just the device-maker, not just the scientist who developed this brain shunt, but also the supplier way back here in the chain of events who supplied a little piece of material that had nothing to do with whether or not the medical device worked. In other words, this company was supplying this wood to thousands of different companies for thousands of different things; it is just that innocuous, neutral item of material.

So now what do we have? We have this scenario whereby a multimillion dollar suit is launched against this supplier back here of the wood particle, the little bitty part that went into this medical device. What has that caused? These companies have to defend these suits and they spend millions of dollars defending them, and in every single case they have been absolved from liability because all they supplied was a neutral piece of material.

However, Mr. Speaker, the cost of doing business with these medical devices, the cost of litigation, lawyers' fees, court fees and costs and so forth, has caused these companies to make a policy decision not to deliver, not to sell these materials any longer to these people who develop these medical devices. That is a tragedy. That means that new medical devices and the continued use of the ones that have been so miraculous thus far, like the brain shunt and the pacemaker and all of those things, are running short of the capacity to meet the demand and the need of the American people.

So last term I introduced a bill, the counterpart is over in the Senate, and we have done so again this year, to allow the material suppliers out here in the world, suppliers that have nothing to do with the ultimate injury if any occurs, to be absolved in the early part of a suit from the possibility of

multimillion dollar lawsuits, and thus give them incentive to continue to supply these materials to the medical device companies.

What happened last year, we passed such a bill, we passed a products liability bill that contained some other features of the same type, and the President vetoed it. We were stunned because we had received signals from the White House that indeed he was going to sign this bill, that he is in favor of those kinds of concepts, yet he vetoed it. We were not able to muster enough votes then to override the veto, so we have to try again this session.

What startled me about the veto, Mr. Speaker and Members, was this: that when the President signed the welfare bill, he said there is a lot wrong with it, and he went on to outline how many things were wrong with the welfare bill, but he said there are enough good things in it that I am going to sign it and we will fix it later, or words to that effect. But on this lifesaving measure that we presented, which if he found flaws in it he could easily have said, I will sign it and we will take care of what I think is wrong with it later, but he failed to do that and vetoed the whole concept.

We are going to try again to convince the President with massive public opinion and understanding of this issue, and we hope to prevail.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess until 2 p.m.

Accordingly (at 12 o'clock and 59 minutes p.m.), the House stood in recess until 2 p.m.)

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. GOODLATTE] at 2 p.m.

#### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

May Your mighty hand, O gracious God, protect us all the day long and may Your providence lead us in the way of justice and peace. We place before you, O God, all the concerns of our hearts and all the petitions that move our souls, asking that You would bless us when we need blessing, that You would forgive us when we need forgiving, that You would strengthen us when we are weak and that You would open our eyes to the wonders of life and love. With gratefulness we accept the tasks of this day, and earnestly pray that we will be good custodians of the responsibilities that are before us. In Your name, we pray. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### REQUEST FOR PERMISSION FOR SPEAKER TO ENTERTAIN MOTIONS TO SUSPEND THE RULES ON WEDNESDAY, APRIL 9, 1997

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that on tomorrow, Wednesday, April 9, 1997, the Speaker be authorized to entertain motions to suspend the rules and agree to the following bills:

H.R. 240, the Veterans Employment Opportunities Act of 1997; and H.R. 757, the American Samoa Development Act of 1997.

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

Mr. MILLER of California. Reserving the right to object, Mr. Speaker, I reserve the right to object because I think that the schedule that once again the House is witnessing this week, in light of some very important problems that are pressing for the Nation and for this institution, first and foremost being campaign finance reform and, second, obviously for the people we represent, the health care coverage for children, I object to that request.

Mr. SOLOMON. Mr. Speaker, would the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just point out that we have on the schedule this week of a very, very important bill that deals with the Federal funding of assisted suicides, of which I am unalterably opposed to any kind of Federal funds being spent for that purpose. This bill has dual jurisdiction with the Committee on Ways and Means. The Committee on Ways and Means had understood that this bill would be coming up on the suspension calendar and not under a special rule that we would bring to the House. Consequently, we have been negotiating with the minority, with Minority Leader Gephardt, about bringing the bill up on suspension. We wanted to do that on Thursday. That is the reason for this request today to take up this very important measure.

But if the gentleman insists on objecting, so be it.

Mr. MILLER of California. Mr. Speaker, I insist on my objection.

The SPEAKER pro tempore. Objection is heard.

#### ANNOUNCEMENT OF EMERGENCY MEETING OF THE COMMITTEE ON RULES

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

Mr. SOLOMON. Mr. Speaker, because of the recent objection it is very important that we take up the prohibition against Federal funds being used for assisted suicides this week, and therefore I would announce that there is going to be a special emergency meeting of the Committee on Rules this afternoon at 5 o'clock and would urge Committee on Rules members to attend, and I will be attempting to contact the gentleman from Massachusetts [Mr. MOAKLEY], the ranking minority member, to pass along this information.

#### THE 21ST CENTURY PATENT SYSTEM IMPROVEMENT ACT

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, I rise in support of H.R. 400, which will effectively end the practice of submarine patenting. A patent submariner resorts to dilatory tactics that inhibit the ability of the Patent and Trademark Office to review the application in an expedited manner.

Submariners do not invest in the economy, nor do they hire workers and they do not invent anything. They sue innocent third parties who independently develop technology, invest in the economy and do in fact hire workers.

How do we stop submariners and still guarantee 17 years of term? H.R. 400 requires an 18-month publication. The innocent third party will be served with notice that a patent is pending and be able to move on to another invention. The rights of the patent applicant are in no way compromised, since he would receive protection at the time of publication, which means longer protection than inventors currently receive.

Mr. Speaker, good patent policy concerns itself with more than the rights of the inventor. H.R. 400 improves our existing system by protecting the interests of all. I urge support of H.R. 400.

#### AN IMPORTANT ALLIANCE ON AN ISSUE OF GREAT CONCERN: HEALTH CARE FOR OUR CHILDREN

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

Mr. MCGOVERN. Mr. Speaker, last week a remarkable thing happened. Two senior Members of the other body, representing the States of Massachusetts and Utah, forged an important al-

liance on an issue of great concern to the American people, health care for our children.

What makes this partnership so remarkable is not simply that these two Members represent different regions and different political parties, but that one is a respected leading liberal and the other is a respected leading conservative. And yet both men discovered something more important than regional differences, more important than partisanship and more important than political ideology.

They understand that a nation as wealthy and powerful as ours simply cannot allow 10 million of its children to go without basic health care. So they came together and they are leading an effort to do what is right for our children.

I am inspired by the bipartisan cooperation that led to the Kennedy-Hatch health care bill, and I have renewed hope that this body, the U.S. House of Representatives, can come together in a bipartisan way to guarantee that every child in America has the health coverage they need and deserve, and, Mr. Speaker, let us do it today.

#### ARIZONA WILDCATS BASKETBALL TEAM, 1997 NATIONAL CHAMPIONSHIP

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

Mr. KOLBE. Mr. Speaker, I feel a little bit like a proud parent today as I rise to congratulate Coach Lute Olsen and the University of Arizona Wildcats on winning the NCAA national basketball championship.

This marvelous achievement really was unprecedented. Never before has a collegiate basketball team defeated three No. 1 seeds in an NCAA tournament, in fact the three most successful basketball programs in the country. Pundits said it was impossible. To be victorious Arizona had to find a way to win six games in a row, something this team had not done all season. In fact, during the regular season the Wildcats lost nearly as many games as Kansas, North Carolina, and Kentucky combined. But throughout the season the Arizona Wildcats exhibited a strength of character that was truly inspiring. They prove that a good team can benefit as much, if not more, from losing as from winning.

As Mike Bibby, Arizona sensational freshman point guard, told reporters, "I like playing against All Americans because it helps me learn," or as forward Michael Dickerson said, "We don't feel we're anybody's underdogs. We have players who can match up with anybody. We did it by believing in each other."

Indeed, at one point during the tournament Mike Bibby found himself at the free throw stripe with the game on the line. Yet after making the shots that sealed the victory, Bibby was quick to credit his teammate and

freshman reserve Josh Pastner with helping him perfect his free throwing technique. Bibby wanted the world to know that although Josh Pastner did not log a minute of playing time during the tournament, the Arizona Wildcats could not have won the championship without him.

So congratulations, University of Arizona. Go, Wildcats.

#### HONORING CORRECTIONS OFFICER SCOTT WILLIAMS

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

Mr. CAPPS. Mr. Speaker, I rise today to pay tribute to Corrections Officer Scott Williams who was killed in the line of duty last Thursday at the U.S. Penitentiary in Lompoc, CA.

Courage was nothing new to Scott Williams. During his tenure at Lompoc, he was promoted from officer to senior officer specialist. A former Marine of the Year, he served with distinction and saved lives in Desert Storm. Officer Williams received no fewer than six awards for outstanding service. He was also a beloved family man who is survived by his wife Kristy and their two young daughters, Kallee and Kaitlin. His selfless dedication is a lesson to us all.

Today we also pay tribute to injured Corrections Officer Scot Elliot and Warden Dave Rardin and all those who came to the aid of a fellow officer.

Mr. Speaker, I know I speak for the entire House when I extend my condolences to the family and friends of this brave fallen soldier.

#### VICE PRESIDENT GORE TOASTS THE TYRANTS

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

Mr. CHABOT. Mr. Speaker, the character of the Clinton administration was on display for the entire world to see when Vice President GORE recently clinked champagne glasses with Li Peng, the mastermind of the Tiananmen Square massacre. Fortunately, the tough and thoughtful comments made by the Speaker of this House served as a welcome contrast.

The Vice President cited that relationship between two great nations and civilizations in his tribute to the Communist dictatorship in Beijing. Well, he was half right. The United States of America is indeed a great Nation, but then our Government does not imprison priests and monks and other religious people. Our Government does not force women to have abortions against their will or sanction torture or throw in jail those who express opinions that do not reflect the official government line.

Mr. Speaker, the Vice President's remarks sent the wrong message to China, but as the Cincinnati Post editorialized last week, it was refreshing