that he used to—he used, you know, hundreds of thousands of dollars in time and investment to develop this new technology. It would have been published, all of his people all over the world would already have known about it, his competitors, and he would never ever get any return on it. So why should he even try in the first place? That system would never emerge because no one would have the profit motive to come up to try to invent it.

Then of course we have got letters from a person who is trying to act like-talk to this person as well who has developed a way of debugging not only buildings, but crop land without the use of chemicals. We are poisoning our homes and poisoning our environment and poisoning our land in order to get rid of bugs that are eating our crops. This person has a new technology that will eliminate these bugs, kill them without the use of poisons, without the use of chemicals. Yet he says to me, "I'm afraid to write up a patent application because if it takes 15 years or 5 years or 10 years for me to get my patent issued, all of the foreigners will steal my idea, and I'll never get any benefit from it.

Someone wrote me and said "I need a new system to try to detect breast cancer."

Now these are things we do not think of, breast cancer, or meat spoilage, bugs that are being killed. These are little things that just slip by, but they make all the difference in the world to what our standard of living is, what kind of land that we will be in, whether or not we will—all of our food will be eaten by bugs or rodents or things like that, or we have to poison ourselves with chemicals to get rid of that problem.

□ 1500

These problems can be solved if we keep the door of technological progress open. This will slam the door in the face of these people. They know it. They are writing and calling every day saying, I cannot see a future and I will never move forward with my invention if these laws are in place.

The American people will suffer, and they will never know what hit them. They will never know that there was equipment to debug their homes without chemicals. They will never know about it in the future. Their children will be sick and their grandparents will be sick from the fumes, and our food will have the chemicals in it. They will never know there was an alternative, because the inventors could not apply for a patent without the worry of having it stolen from them.

Mr. Speaker, I had a man in my office when this was going to the committee, he ran a small solar energy company. And as I told him what was going on, his face became red and he was pounding on the table. He said, Mr. Congressman, if that bill passes, I have put millions of dollars in trying to invent this method of improving the

amount of electricity that comes out of solar energy. If they publish my patent, the Japanese will be in production of what I have invested my whole life in; they will be in production and they will be using the money that they are making from my technology to steal my technology from me legally in the court system once my patent is issued.

Mr. Špeaker, this is wrong. This is wrong. It is going to hurt America. It is coming to a vote, and it is sliding right through the process. H.R. 400 will come to a floor vote on Thursday. There is an army of lobbyists contacting Members of Congress, paid for by multinational corporations and by huge American corporations.

Members of Congress need to talk to their constituents and the constituents need to talk to their Member of Congress. That is the way America will be saved. That is the way America has always been saved, not by some top dog somewhere making some decision.

During the American Revolution when Thomas Jefferson was writing the Declaration of Independence, a third of the colonists were supporting the British. They were basically people who were of the elite classes. Throughout our history, when American freedom was in jeopardy, it was the American people themselves and not our corporate elite and not our business executives, and not the big, important, handsome, and beautiful people that stepped forward. But it was those average Americans, average you and me type people, who saved the day, who charged up San Juan Hill with Teddy Roosevelt, who fought with the 69th Regiment, the Irish Regiment at Gettysburg, who fought the American Revolution, and afterwards saw that they did not get anything from it, and those same Tories came back who had supported the British and made all kinds of money by speculating on currency, on continental currency.

But I believe in the American people. I know that they will meet the challenges. They will keep our country free. When we celebrate Thomas Jefferson's birthday, and his birthday week, we will hold that torch high, because that is our job. It is not the job of Government. It is not the job of the other guy. It is the job of every human being who believes in liberty and believes our country must maintain the standards of justice and decency and the legal protection of individual rights far beyond those of any other country on this planet. Of that we can be proud.

Mr. Speaker, as long as we have that kind of commitment, America will remain that dream, that hope for all mankind. And we will lead the rest of the world into a new era when other people do have more opportunities, because we will maintain our standards, rather than trying to bring our standards down to those of other countries.

I am confident that we have a chance to win, but I am warning the people now. I am ringing the alarm bell. The people of this country have to step forward. I know they will. Mr. Speaker, I include for the RECORD the document entitled "Mutual Understanding Between the Japanese Patent Office and the United States Patent and Trademark Office".

The material referred to is as follows: January 20, 1994.

MUTUAL UNDERSTANDING BETWEEN THE JAPANESE PATENT OFFICE AND THE UNITED STATES PATENT AND TRADEMARK OFFICE

Actions to be taken by Japan:

- 1. By July 1, 1995, the Japanese Patent Office (JPO) will permit foreign nationals to file patent applications in the English language, with a translation into Japanese to follow within two months.
- 2. Prior to the grant of a patent, the JPO will permit the correction of translation errors up the time allowed for the reply to the first substantive communication from the JPO.
- 3. After the grant of a patent, the JPO will permit the correction of translation errors to the extent that the correction does not substantially extend the scope of protection.
- 4. Appropriate fees may be charged by the JPO for the above procedures.

Actions to be taken by the U.S.:

- 1. By June 1, 1994, the United States Patent and Trademark Office (USPTO) will introduce legislation to amend U.S. patent law to change the term of patents from 17 years from the date of grant of a patent for an invention to 20 years from the date of filing of the first complete application.
- 2. The legislation that the USPTO will introduce shall take effect six months from the date of enactment and shall apply to all applications filed in the United States thereafter
- 3. Paragraph 2 requires that the term of all continuing applications (continuations, continuations-in-part and divisionals), filed six months after enactment of the above legislation, be counted from the filing date of the earliest-filed of any applications invoked under 35 U.S.C. 120.

Wataru Asou,
Commissioner, Japanese Patent Office.
Bruce A. Lehman,
Assistant Secretary of
Commerce, and Commissioner of Patents
and Trademarks,
United States Patent
and Trademark Office.

THOSE WHO WOULD AMEND THE CONSTITUTION ARE REVOLUTIONARIES, NOT CONSERVATIVES

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 7, 1997, the gentleman from North Carolina [Mr. WATT] is recognized for 60 minutes as the designee of the minority leader.

Mr. WATT of North Carolina. Mr. Speaker, I do not think my colleague, the gentleman from California [Mr. ROHRABACHER], could have set the table any better for my comments, because I, too, am here today to speak on behalf of the American people, and some of the principles for which the American people fought many years ago in the establishment of this country.

This is a first for me. This is my third term in Congress. I am in my 5th

year. I have never, ever requested an hour to address my colleagues or anyone in a special order. But I come today with such a firm belief that what we are about to do in this House on tomorrow, the issue that we are about to consider, which would require a two-thirds vote in this House for the passage of a bill which had the effect of increasing taxes, is so inconsistent with every single principle that is near and dear to the American people, that I asked for this time today.

The American people will probably remember this debate from a year ago. On April 15, 1996, the Republican leadership brought a bill to this body that was essentially identical to this bill. It would have required a two-thirds majority to increase taxes. That bill was resoundingly defeated, bipartisanly defeated, and so one wonders initially, why would the bill be back again tomorrow, on April 15, 1997, a bill that lost 243 to 177 last time? Why would it be back again?

Mr. Speaker, my Republican colleagues I believe are trying to convince the public that they are doing something that is in their interest, and on tax day they are trying to fan some flames and get some political benefits. But the American people should not be fooled by this.

Mr. Speaker, my colleagues tomorrow who bring this bill will say, we bring it to do a favor for the American people. We bring it as a conservative initiative to counteract those liberals who would raise taxes on the American people.

I want to reflect back, at the outset of my comments, to comments made by President Abraham Lincoln on February 27, 1860. This is what he said. I am quoting him directly:

But you say you are conservative, imminently conservative, while we are revolutionary, destructive, or something of the sort. What is conservatism? Is it not adherence to the old and tried, against the new and untried? We stick to, contend for, the identical old policy on the point in controversy which was adopted by our fathers who framed the government under which we live, while you, with one accord, reject and scalp and spit upon that old policy, and insist upon substituting something new.

True, you disagree among yourselves as to what the substitute shall be. You are divided on new propositions and plans, but you are unanimous in rejecting and renouncing the old policy of the fathers of our country.

Amending the Constitution of the United States, Mr. Speaker, is not a conservative notion. It is a revolutionary, a radical notion, and I keep wondering why it is under those circumstances that over and over and over again this new majority, which calls itself a majority of conservatives, brings time after time after time again proposed amendments to the Constitution of the United States of America, in unprecedented numbers.

During the last term of Congress there were 118 constitutional amendments proposed; various permutations, combinations, proposed to this body by this new conservative majority, calling themselves conservatives, attacking the very document which is the basis on which we operate our Government.

In the last Congress we voted on four amendments to the Constitution, the balanced budget amendment, the term limits amendment, the flag desecration amendment, the supermajority for tax increases amendment, the same proposal that will be before the House again tomorrow.

Mr. Speaker, four proposed amendments to the Constitution may not sound like a dramatic number, but 118 proposed amendments were introduced in this body, the great, great, great majority of them by my colleagues calling themselves the new conservative majority; in the 104th Congress, the last Congress, proposed amendments 10 times more than any of the prior 10 Congresses, this conservative new majority.

Over the last 10 years, the average number of constitutional amendments introduced and voted on in the House was 1. Look back through our whole history in this country and look at the number of times our basic framework of our democracy has been amended, and here we are again tomorrow with a new constitutional amendment attacking the framework under which our Government and our country operates.

Mr. Speaker, I come with a passion about this issue. I have told my colleagues in this body many times that I believe on constitutional issues I may be the most conservative, maybe the only conservative in this body. I think it is revolutionary to propose a constitutional amendment. It is not conservative.

My colleagues can tell me over and over and over again how conservative they are, but it is not a conservative notion to amend the Constitution of the United States. Yet, over and over again during the last Congress and in this Congress, starting anew, there are a bunch of cavalier Members who believe that they have a better idea about how our country ought to operate than the Founding Fathers of our Nation, whose ideas have stood the test of time: a bunch of radicals calling themselves conservatives, and saying, we have a better idea about how to run this country.

Those are the kinds of people that my colleague, the gentleman from California, was talking about, who are supporting not ordinary citizens who believe in the Constitution under which we operate, but they are supporting a different notion.

Why do I choose this proposed constitutional amendment to come and address? Mr. Speaker, I believe this is the most basic attack on our Constitution of any that were proposed during the last Congress, and any that will be proposed during this Congress.

□ 1515

It goes at the very heart of our democracy. Our democracy is based on

majority rule, one person, one vote; every single individual in this country is equally weighted. And to come with a constitutional amendment which says require a two-thirds majority diminishes the value of somebody's vote and enhances the value of somebody else's vote. It is counterdemocratic.

Mr. Speaker, the essence of democracy is majority rule. Lord knows, I have been in a minority my entire life. I have no objection to being in a minority. What I have objection to is some supermajority requirement, because I understand that our democracy is based on majority rule.

Why is majority rule so basic? Go back to our Founding Fathers, Alexander Hamilton, in The Federalist Papers, here is what he said: "The fundamental maxim of republican government requires that the sense of the majority should prevail."

That is Alexander Hamilton, majority rule is the basis of our democracy. We litigated for years and years to establish the requirement that each person's vote out in the populace should be equally weighted in the selection of Members of the U.S. House of Representatives. In the cases of Gray versus Sanders and Wesberry versus Sanders, the U.S. Supreme Court specifically articulated that every single individual has an equivalent right to select the Members of this body.

Here is what the court said in Westbury versus Sanders:

We hold that, construed in its historical context, the command of Article I, Section 2 of the Constitution that representatives be chosen by the people of the several States means that, as nearly as practicable, one man's vote in a congressional election is to be worth as much as another's. To say that a vote is worth more in one district than in another district would not only run counter to our fundamental ideas of democratic government, it would cast aside the principle of a House of Representatives elected by the people, a principle tenaciously fought for and established at the Constitutional Convention.

We spent in 1990 almost \$3 billion, and in the year 2000 we will spend another \$4 to \$5 billion to count every citizen in the United States and reapportion our Government, because we believe in the principle of one person, one vote. We do not count and do a census just for the heck of it. It is the basis of our democracy. It is the basis on which the membership of this House of Representatives is constituted.

We will spend \$4 billion in support of that proposition in the year 2000. And guess what? After that census is taken, in order to ensure that one person one vote is appropriately applied, the whole system of districts, congressional districts throughout the country will be reordered. Some States will lose representatives because they have lost population in proportion to other States. Some States will gain population. There will have to be a redrawing of congressional lines all across this country, because we believe in the principle of one person one vote. It is

the basis of majority rule. It is the basis of a democracy.

Now, what happens then when a constitutional amendment is offered that requires a two-thirds vote? What you have said to the American people is, oh, no, we understand that you have the right to be equally represented in the selection of your Representatives, but your Representatives do not have the right to be equally represented in their voting on this issue. That, my friends, is the reason that the number of places in the U.S. Constitution requiring anything other than a majority vote is severely limited, limited to only four instances, four instances: Ratification or consent to a treaty, that is our relationship with an external entity, somebody external to our country so we require a higher level of support for that kind of endeavor; conviction in impeachment trials or expulsion of Members, our relationships internally in this body, we require a higher constitutional requirement; to override a Presidential veto, we require a higher than majority vote because that has to do with the balance of power between the various branches of the Government, and that is the way our Founding Fathers set it up: or passing a constitutional amendment.

That ought to tell us something about what our Founding Fathers thought about willy-nilly, based-on-popularity polls, based on the issue of the day or the thought-of-the-moment thought about amending the Constitution. That ought to tell us something about how serious they were about it. Yet this new conservative majority would have us believe that they are somehow being conservative, attacking the very document that is the basis of our democratic society.

We do not even require a supermajority, anything other than a majority in this House to declare war. Would anybody submit to me that a declaration of war is less important than raising somebody's taxes?

Mr. Speaker, this is a counterdemocratic movement that is being proposed, and it is being brought out here tomorrow onto this floor on April 15, just like it was on April 15 a year ago, not for any substantive purposes but for political purposes.

Well, what do some of our Founding Fathers have to say about this majority rule or supermajority requirement? Listen, if you would, to Alexander Hamilton again, when he debated at the convention this whole notion that there ought to be something other than a majority vote to decide issues. Here is what he said:

What at first sight may seem a remedy is in reality a poison. To give a minority a negative upon the majority, which is always the case where more than a majority is requisite to a decision, is in its tendency to subject the sense of the greater number to that of the lesser. Its real operation is to embarrass the administration, to destroy the energy of the government, and to substitute the pleasure and caprice of an insignificant, turbulent or corrupt junta.

He called them a junta. Hey, that is a revolutionary term. It is a revolutionary term.

He went on to say,

This interruption of regular deliberations in decisions of a respectable majority would lead to tedious delays, continual negotiation and intrigue, contemptible compromises of the public good.

Mr. Speaker, those are not my words. Those are Alexander Hamilton's words on the founding of this country about this same kind of notion that is coming to the floor of the House of Representatives tomorrow.

Well, was Alexander Hamilton alone in his contempt for this requirement of something other than majority rule? No, he was not. What about James Madison in The Federalist Papers? It has been said, and I am quoting,

It has been said that more than a majority ought to have been required for a quorum and in particular cases, if not in all, more than a majority of a quorum for a decision. In all cases where justice or the general good might require new laws to be passed or active measures to be pursued, the fundamental principle of free government would be reversed. It would be no longer the majority that would rule, the power would be transferred to the minority. Were the defense privilege limited to particular cases, an interested minority might take advantage of it to screen themselves from equitable sacrifices to the general will or in particular emergencies to extort unreasonable indul-

Those are the words of James Madison on the founding of our country. They are not my words. And yet my colleagues would have us believe that this two-thirds supermajority to raise taxes is just, we are protecting the people of the United States. Well, which people of the United States are they protecting?

□ 1530

Which people are they protecting? I submit that they are not protecting any of us. Because if we truly believe in democracy, then we truly believe in the rule of the majority. And if we need to raise taxes or lower taxes or declare war or take any action that is not already specified in the Constitution as requiring a higher than a majority vote, then we ought be able to do it based on majority rule.

I did not come here to talk about raising taxes or lowering taxes. This is not about the issue that underlies this. This is about the document that is the fabric and basis of our democracy. It is about majority rule. It is about standing up for every single person to have the same right that every other person in this country enjoys. It is about every single representative, each one of us, representing an equivalent number of people in the scheme of our Government, not having his or her vote in this House of Representatives diminished in any measure.

So it is not about taxes. That is not the issue at all. It is about the Constitution of the United States of America. It is about the principles that underlie majority rule and democracy in our country.

Mr. Speaker, this proposal that will come to us tomorrow is not even well drafted. I could not believe that I could pick up a document that proposes to amend the Constitution of the United States and find some of the language that I found in this bill. It says, "In order to pass a tax increase, you got to have a two-thirds vote if the tax increase is something more than 'de minimis'."

Who knows what de minimis means? There is not a person in this body who knows what de minimis is. There is no such word in the Constitution of the United States as we speak today. There has never been any definition of what that means.

So this constitutional amendment, this proposed constitutional amendment, were it to pass, would pass that authority to decide what the word "de minimis" means to the judicial branch of our government, interrupting, unbalancing the balance of power that has been established between the legislative body and the judicial branch of the Government.

The wording somehow was pulled out of the air for the purposes of this moment so that we could get it to the floor of the House of Representatives on April 15 because everybody is going to be worried about paying their taxes tomorrow.

That is the only reason this bill is coming to the floor tomorrow because my colleagues want the American people to think about this in an emotional fashion. They do not care about the merits of the bill. They do not care that 200 years from now they will have interrupted the most cherished notion of majority rule that our country is based on. They just want to make some political points on April 15, and they think that is the day to make them because people will be incensed about having to pay taxes. And they are going to come here tomorrow and tell the American people that they are trying to do a favor for the American peo-

I want to spend just a minute or two, I am not going to take the entire time I have, but I do want to take a few more minutes just to alert my colleagues that this is not about protecting the American people.

Understand that in 1952, corporate income taxes constituted 32 percent of all Federal revenue. By 1992, corporate taxes represented 9 percent of Federal revenue.

Let me repeat that. In 1952, corporate taxes constituted 32 percent of the Federal revenue. By 1992, corporate taxes constituted only 9 percent of Federal revenue.

During that time, we gave major tax breaks to trans, multinational corporations. They can set prices on an intercompany basis, sales and elect whatever country they wanted to pay taxes in. And nobody ever collects any taxes in the United States, so we built in an incentive for them to take our jobs abroad to other places. Represents \$12

billion in tax subsidies a year. Pass this constitutional amendment in order to undue that corporate tax welfare; it would take a two-thirds vote.

Do my colleagues really think this is about protecting the American people? This is about imposing more of the bur-

den on the American people.

I am not going to $\hat{g}o$ through all the corporate loopholes and subsidies that we provide to corporations, but it should tell us something, that if over a 40-year period the percentage of income that the Federal Government gets from corporations went down from 32 percent of income to 9 percent of the income, that somebody had to pick up that difference.

Now we are here, my colleagues, telling us that they are conservatives in this body, willing to undermine the basic principle that individual citizens and rights that individual citizens have in this country to have their vote equally counted and equally represented, with a piece of legislation that would require a two-thirds vote now to get rid of any of those corporate tax subsidies. We could not even go after them. Could not do it.

So tell me, my colleagues, whether this is about protecting the individual. Is this about protecting individual citizens of this country? My friends, it is not. What protects individual citizens of this country is being equally valued, being able to cast a vote and know that my vote counts as much as my colleague's vote and my colleague's vote counts as much as the next person's

We go to great pains every 10 years to do a census because we value that notion. We value majority rule. We value one person, one vote, and we should resist as a people any attempt to undermine the value that we place on that notion of majority rule. That is the essence of our democracy.

Mr. Speaker, you may have gathered by now that I feel strongly about this piece of legislation. Not because it has anything to do with taxes. I have been on this floor many times since I have been in this body speaking against proposed amendments to the Constitution of the United States. Were this a twothirds majority requirement to reduce taxes, I would oppose it. Were it a twothirds majority requirement to declare war, I would oppose it. Were it a twothirds majority requirement to declare a war on poverty or to rescind a war on poverty, I would oppose it.

I cannot think of any single thing that I could want a two-thirds majority in this House to have to make law that is not already in the Constitution of the United States. And the reason I feel so strongly about that is because I believe that our country is founded on the notion that we all are equal. The value of our votes are equal, and the value of our Representatives in this body ought to be equal. This proposed constitutional amendment would end

that in this instance.

I call on my colleagues to consider the value that our Founding Fathers

placed on majority rule. They debated it at length. They did not want a dictatorship. They did not want the value of the wealthy to be greater than the value of the poor. They did not want the value of a person in California to be less than the value of a person in North Carolina. All they wanted was equality. That is all I want.

I urge my colleagues to defeat this proposed constitutional amendment. to preserve and respect the Constitution

of the United States.

IT IS IN AMERICA'S INTEREST TO REVOKE CHINA'S MOST-FA-VORED-NATION STATUS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 7, 1997, the gentleman from Virginia Mr. WOLF) is recognized for 60 minutes.

Mr. WOLF. Mr. Speaker, I am submitting for the RECORD the op ed piece by Gary Bauer, president of the Family Research Council, which appeared in Sunday's Washington Post, April 13,

Mr. Bauer, along with a powerful coalition of religious leaders, advocates revoking China's most-favored-nation status, MFN, because of China's worsening human rights record, its continued proliferation of dangerous weapons and technology, its unprecedented military buildup, and its ballooning trade surplus with the United States.

□ 1545

Mr. Bauer writes, and I quote, "Morality and realism, too often considered the poles of this debate, both now clearly dictate the same course. Unless it changes its ways, China should be disfavored nation in every aspect of foreign policy.'

For Mr. Bauer and the coalition of conservative pro-family organizations and Christian leaders representing some 25 million Americans, the most compelling though not the only reason to revoke China's MFN status is repression of China's religious community. The government views as subversive the estimated 100 million Buddhists, the 17 million Moslems, the 8 million Catholics, and the 30 million Protestants worshiping outside the state-controlled so-called patriotic church system.

The Chinese Government's attacks on the people of faith have intensified since President Clinton delinked trade from human rights in 1994. Last year according to Nina Shea of Freedom House's Puebla Program, Chinese Christians reported that they were experiencing the worst persecution since the pre-Deng era of the 1970's. Shea estimates that China holds more religious prisoners than any other country in the world. Freedom House maintains a list of 200 persons imprisoned for their religious beliefs but estimates the actual numbers are thought to be in the thousands.

Since 1994, Chinese authorities have increased efforts to crack down on all unregistered churches and believers. In January 1994, Premier Li Peng, who was the man who called out the Chinese troops in Tiananmen Square that massacred all those young people, Li Peng promulgated two sets of regulations for registering religious activities. Security forces harass, arrest, beat, and imprison church leaders, impose stiff fines, demolish religious buildings or meeting places, and confiscate Bibles. Chinese authorities have called Protestants "enemy forces" and warned that Christianity has become the major threat to the Communist Party.

My office recently obtained a copy of a document released by the Communist Party at Donglai Province on November 20, 1996, outlining procedures for eradicating the underground Catholic church. It calls for "reeducation," ideological struggle sessions, and criminal prosecution of Catholics who are not involved in official churches.

Mr. Speaker, over 100 house church leaders have been arrested and jailed in the first 3 months of 1997, the first 3 months of 1997. And still the Clinton administration wants to grant this regime most-favored-nation trading status. This has been according to Compass Direct, including leaders of the three largest house church networks in Henan Province. Just before the Easter visit to China of Vice President AL GORE and a bipartisan congressional delegation led by Speaker NEWT GING-RICH, authorities raided the Shanghai residence of Catholic Bishop Fan Zhongliang and confiscated his Bibles and other religious materials.

Last year, three evangelicals and one Catholic priest were killed in three separate incidents after receiving severe beatings by the police. Hundreds of Protestant house churches in Shanghai and other provinces have been forcibly closed or demolished, and the popular Catholic shrine at Donglu has been smashed. A number of unregistered Catholic churches in Hebei and Jiangxi have been desecrated, destroyed, or shut down.

And yet they want to give MFN to a country that does this, whose goal is to eradicate the house church, has Catholic bishops and priests in jail, is going after the evangelical Protestant church, have plundered Tibet and expelled the Dalai Lama from Tibet, and are persecuting Moslems in the northwest part of the country. And they want to grant MFN to them.

Mr. Speaker, would these people have wanted to give MFN to the Soviet Union when they were persecuting those of the Jewish faith and shutting down dissidents and doing all the bad things that they were doing? No, no one wanted to give it to them then in the 1980's because of the terrible things they were doing. We used MFN to get dissidents out of jail. Yet they want to give MFN to China when they are doing all these terrible things in the 1990's, in the year 1997.