

children who currently lack health insurance.

In millions of American working families both spouses work and yet neither works at a job that offers health insurance benefits, and while Medicaid provides coverage for children and families near or below the poverty level, many working families make more than the Medicaid threshold but not enough to afford health care premiums, and as a result millions of working parents remain unable to provide any health insurance whatsoever for their children.

Hoping to expand upon the progress made by last year's passage of the Kennedy-Kassebaum bill, congressional Democrats have been working hard to develop ways to address this problem. Indeed, many Members here in the House, including myself, are working on legislative proposals to remedy the problem. But I believe that making health insurance available to uninsured children really should be a central part of what we do in this Congress.

It was part of the Families First agenda which was developed by Democrats last year to help the average American family meet the costs of everyday life, and the attention the President will give this issue tonight is sorely needed. It is my hope that Republicans will join the President and congressional Democrats in recognizing that making health insurance available to all children is perhaps the most important issue we will examine here in the next 2 years.

#### U.S. PATENT LAW

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

Mr. ROHRBACHER. Mr. Speaker, today I would like to discuss with the Members here assembled and those listening on C-SPAN and those who will be reading the CONGRESSIONAL RECORD an issue that will be determined very early on in this session.

It is an issue that is somewhat obscure. It is an issue that is very difficult to understand in that it is complicated and deals with a complicated part of the law. It is an issue that will probably be ignored by much of the public and will probably not even be understood by most of the Members of the House of Representatives. Yet how Congress resolves this issue will determine the future well-being of our people and the security of our country.

This Congress will determine early on the fundamental patent law that will take precedence in this country probably for the next 50 years and perhaps longer. We will be making a determination of what the patent law of the United States of America will be for this generation and future generations of Americans.

Now some people say oh, my gosh, he was saying this is so important, and now all of a sudden he is talking about patent law. Well, that is exactly what I am talking about. Patent law is a part of the American legal system that has been taken for granted by the American people.

However, every time we turn around we can see that it is America's technological edge that has permitted the American people to have the highest standard of living in the world and permitted our country to sail safely through the troubled waters of world wars and international threats. It is American technology that has made all the difference, and it is American patent law that has determined what technology and what level of technological development that America has had.

This is not an obscure issue. This is an issue of vital importance to every American, and it will determine in the future the standard of living of our people and the safety of our country.

We Americans came to this continent as poor immigrants, by and large, millions of us. We fared very well for a people and, comparing what we did as Americans to other countries, we faced the most undeveloped land imaginable. There was no land that was more undeveloped than the United States of America when our forefathers and mothers came here.

And, yes, we had space and we had resources. But more importantly than that, the secret of America's success is not found in our wide expanses and our deposits of minerals. Instead, the secret of our success can be found in the fact that our people had freedom and they had guaranteed rights, and also, of course, we had a dream. We had a dream of a country where average people, even people who are below average, people who came here from every part of the world, of every race, of every religion, of every creed, could come and they could live in dignity, they could live free from fear, they could live with the understanding that their children would have opportunity to improve themselves because there was a rising standard of living. We believed in rights, and we believe that these rights are God given rights and not just government rights.

Patent rights are one of those rights that are written into the U.S. Constitution, and there is another fact for those of you who may be listening to a discussion of patents for the first time. Do you know that the United States of America is one of the only countries of the world to have written into its founding document, the Constitution, a section dealing with patent rights? In fact, Benjamin Franklin, Thomas Jefferson, Washington, and others of our Founding Fathers were not only people who believed in freedom, but they believed in technology.

Visit Monticello and see what Thomas Jefferson did with his time after he penned the words to the Declaration of Independence, after he served as Presi-

dent of the United States. He went back to Monticello, and he spent his time inventing things that would lift the burden from the shoulders of labor.

Benjamin Franklin, the inventor of the bifocal and the stove; these were our Founding Fathers because they knew that with freedom and with technology we could increase the standard of living of our people. Our people were not just the Americans who were here, but the tens of millions of Americans who would come from other lands, who we would have to produce the wealth that was necessary to support them. We have the strongest patent protection in the world, and that is why in the history of mankind there has never been a more innovative and creative people.

Everyone has heard about Thomas Fulton and the steamboat. They assume that we invented, meaning Thomas Fulton invented, the steam engine. Thomas Fulton did not invent the steam engine. Mr. Fulton put the steam engine onto a boat and put it to work.

Cyrus McCormick invented the reaper; Samuel Morris, the telegraph; Thomas Edison, the light bulb and so many other inventions. We are proud of our history of technologies because we know as Americans, and we have always known through our country's history, that these inventions produced more wealth with less labor and increased the standard of living of all people and the opportunity of all people who were part of our American brotherhood and sisterhood.

And then of course the Wright brothers. We remember the Wright brothers: Men with little education who worked in a bicycle shop and ended up inventing something less than 100 years ago they were told was absolutely impossible by the experts. Yet they went ahead and moved ahead, received a patent, and they changed the future of mankind forever as they took mankind's feet off of the ground and put us on the road to the heavens.

Innovation and our great creative genius is the miracle that produced our wealth, not just our muscle. It was the genius and tenacity of the Wright brothers and of Cyrus McCormick and others that produced the wealth that has changed all of humankind and especially all the lives of all Americans. It was not raw muscle of every American, it was our ingenuity, our intelligence and, yes, the legal system that was established to protect that ingenuity and creativity. We treated intellectual property rights, the creation of new technologies, as we treated the property rights that someone had to a piece of land. It was his property or her property. And that is what America is all about, in that every person had a right to own a piece of property, and today as we enter the intellectual and innovative era of the electronic age and the age where ideas and creativity will mean even more, it is vital that we maintain this traditional support.

In World War II and then in the cold war, it was our genius and our commitment to freedom that carried the day. It was not our willingness to throw man for man against the Germans and the Japanese or face the Chinese Communists and the Russian Communists person for person in the cold war. If that was the case we would have been destroyed. We could never have matched them for pure muscle power. Instead, our aerospace workers, our scientists, our inventors, our computer specialists, our missile technicians, our rocket builders and, yes, those scientists who came up and started developing the SDI, the strategic defense system that would have created a missile defense system for the United States; these technological workers in our society made the difference in the cold war.

Yes, we won the cold war without having to fire a shot because we relied, yes, on courage, yes, on faith and freedom, but also in superior technology, and we had that superior technology because our lands protected American inventors and our creative citizens as no other in the world.

Today it is my sad duty to inform my fellow colleagues and the American people who are reading this RECORD and who are listening tonight that we face a great historic challenge, and this challenge comes at exactly the time when our country is moving into a global economy, which means that there is global competition, global warfare on an economic level that we must win or our country and our people will lose. If we lose this battle, our people will suffer. Future generations will see their economic situation, their standard of living decline, as well as the safety and strength of our country, if we do not remain technologically superior in this new challenge that we face as part of the global economy.

Our adversaries, by the way, have identified this as our strong point. They did this long ago. It did not take the Japanese too long before they realized what it is that always gives Americans the edge. How come that they always are able even though we are working so hard and we are able to maintain unity among our people like the Americans can never have, how come we are always falling one step behind as compared to the Americans as a new day approaches? They saw it right away. Americans are innovative, Americans have the ideas. We have to depend on them to get our ideas. Well, they identified that as our strong point, but it is also our weak point in that the American people have no idea what legal structure has been established to protect that technological lead.

What I am talking about is the fundamental patent law of this country. In short, let me explain that our economic adversaries and their allies, who are multinational corporations who are based here in the United States, whose allegiance, who knows where, in what

country their allegiance is to are engaged in a systematic attack on the patent rights of the American people. Those people and those of our fellow citizens not engaged in the development of new technology, those people who are not inventors have no idea what fear is spreading throughout the community of innovative thinkers and creative technologists in our society. In an age of information technology innovation America's adversaries are hitting us hard and our people do not know it, and 20 years from now our citizens will wonder what hit them, whether it is—they might think it was another Pearl Harbor and happened in one moment. They know exactly what it was, but if it is happening slowly and their rights are being eroded and they do not know that laws are changing, they will have a decreasing standard of living and attack on their well-being and not know what hit them.

This attack is being conducted not by bombers in Pearl Harbor in Hawaii, but is being done by lobbyists in the Nation's capital who are out to destroy our patent system, lobbyists who have been hired by well-heeled multinational corporations and by companies who no longer have any desire to pay for the use of technology that has been developed by other American citizens. They are out, so-called, but when you ask them, they are not saying, well, we are out to destroy the patent system. No, instead what is being said is there is a measure out now to correct a so-called flaw in the system.

□ 1545

When you read the defense of the changes that are being proposed, you will hear about a minuscule flaw that has been used in less than 1 percent of all patents, actually probably one-tenth of 1 percent of all patents, that they are using as an excuse to fundamentally change the entire patent structure, the entire patent rights that have been guaranteed to Americans since the founding of our country.

In reality, if you look very closely, it is not this flaw that they will talk about, however. In reality, this flaw, which is called the submarine patent issue, is not what will be admitted to by those who are pushing the hardest on this particular issue, this reform of the patent system, so-called reform.

In fact, last year, Congresswoman Schroeder was in the well, and when I asked her about it, offhandedly she said, oh, well this is nothing more than an attempt to harmonize our patent law with the rest of the world.

Well, that is the real motivating force for many of those who are pushing so-called patent reform in the U.S. Congress, to harmonize, harmonize American patent law with the rest of the world. What does that mean?

Well, we have had the strongest patent protection of any country on this planet, just as we have had the strongest protection for our rights of speech and freedom of religion and the other rights that we hold sacred.

Now, tell me this: If Americans were out to harmonize patent law, that is one thing, certainly. But what would happen if they said, in order to harmonize freedom of religion and freedom of speech, we are going to reduce the amount of protection of these freedoms that are now enjoyed by the American people so that those freedoms will be exactly the same as, let us say, the people of Singapore have? What would be the reaction? There would be an immediate revolution throughout America, people saying, you are not going to diminish our rights in order to harmonize law internationally; forget it.

However, the move to harmonize patent law is going much more smoothly, because it is being done very low-key, not many people understand it, while the freedom and the well-being of future generations is being frittered away.

The fact is, we have had the strongest protection, patent right protection, and that is why we have had more innovation and a higher standard of living than any other people in the world. The common man here has opportunity that common people in other parts of the world do not have, because America has had technological superiority, and if our rights to patent protection are diminished in order to harmonize them with the rest of the world, is it not great that we will end up with the same type of opportunity and the same type of rights that they have in Third World countries? Is that what we want?

That is an abomination that is being carried out in an underhanded way here in Washington, DC, and the American people have got to know about it, and they have to unite, and they have to fight, or they will lose what our forefathers fought for and put into our Constitution.

But the argument you hear about submarine patents, every time we will hear from the other side, they will stress something called submarine patents. Submarine patents, by the way, are this: An inventor invents something and then intentionally tries to stall the Patent Office from its own internal procedures so that the patent, instead of being issued quickly, takes 5 years, maybe even longer, to issue, because the patent applicant is doing everything he can to manipulate the system.

Of course, what the people do not really explain is the fact that every decision as to whether or not that person will be granted a continuance or a continuation of his application is made by the Patent Office itself. Any type of manipulation of the patent system can be corrected by internal reforms within the Patent Office.

And I might add that the submarine patent problem is a problem for some people, but it is a minuscule problem. For people to suggest that a very small problem that can be corrected by administrative mandates within the system, that we must eliminate the guaranteed patent term, which is what they

are doing, in order to correct this problem, this is a very similar type suggestion to that if you have a hangnail.

Think about it. You have a hangnail, and you are talking about how terrible that hangnail is; in fact, your toe has become infected. And you go to your doctor, and the doctor goes into great detail about the ugliness and how horrible hangnails are. And you will hear hours of talk about the horrors of hangnails, being submarine patents. Only what the doctor is leading up to is that he is going to amputate your leg.

If you go along with a doctor who wants to amputate your leg because you have a hangnail, you have got problems. And what is going to happen to the U.S. patent system unless the American people rise up and contact their elected representative and tell their representative not to permit this to happen is, in the name of correcting a hangnail called submarine patenting, they are going to amputate the leg and destroy the whole system.

Basically, most inventors, the vast majority of inventors, maybe 95 to 99 percent of all inventors, struggle as hard as they possibly can to have their patent granted as soon as possible. They are afraid, No. 1, if they wait, that innovation will overtake their invention and they will not be able to make any money on it because there will be something else that is out.

No. 2, every second that they do not have the patent issued to them, they are restricted in the amount of money that they can get, because people will not invest and will not give money for something that has not already been issued as a patent. So they are struggling, and they are struggling.

We are told by those people who want to totally change the patent system that these evil inventors, you know, evil people like Thomas Edison and Cyrus McCormick, evil inventors like people who invented the drugs that have cured polio, evil inventors, that these people are stringing out the process.

They are not stringing out the process, they are struggling to get their patents through, and the one or two exceptions are not reason to destroy the rights of these inventors who have changed the landscape of the United States of America and improved the lives of our people.

Patent rights, unfortunately, have already been diminished, and most Americans do not even know it. Three years ago, 3 years ago, there was a change that was snuck into the GATT implementation legislation that changed the fundamental basic law of the land dealing with patents, a law that had been in place, a system that had been in place, since the founding of our country. Let me explain it.

Since the founding of our country, if an inventor applied for a patent, that inventor would be granted a patent. Once his patent was granted, he would have 17 years of a guaranteed patent term to reap the benefits of his inven-

tion, his or her invention. That applicant would be able to know that, no matter how long it took, if the Patent Office and the bureaucracy and those other people who were trying to stop him from getting the patent issued, no matter what happens, if it took 10 years or 20 years, the inventor knew that after that patent was actually granted, he or she would have 17 years of a guaranteed patent term. That was the term. Americans had a right to a guaranteed patent term.

Well, they just changed that a little bit. They just changed the wording a little bit. They changed the wording in the GATT implementation legislation. It now says that the patent applicant has 20 years of patent protection from the date of filing.

Now, let me describe what that really means. That means there is no guaranteed patent term, because if a patent applicant now, an inventor, files for a patent, if the system—by the way, if we are talking about innovative, innovative and breakthrough technology, sometimes it takes years, even a decade, for the Patent Office to issue that patent and say, you are the inventor, this is what you say it is.

What happens with this new system that they snuck into the law is that the clock is ticking against the inventor. Instead of having a guaranteed patent term of 17 years, the inventor now has an uncertain term, and if it takes the bureaucracy 10 years or 15 years, the patent applicant may end up with 5 years in return.

Now, what does that mean? That means that venture capitalists who usually go into partnership with inventors, they provide the money that the inventor needs, they sustain them while they are exploring new ideas and trying to develop new models and working innovations, and the venture capitalists also have known, hey, I am going to have 17 years to earn my investment back.

That investor and that inventor now know that they may have no time to earn their investment back, because there is no longer a patent term certain. We eliminated the right of Americans to a guaranteed patent term. And it did not just happen. It was done, as I say, it was snuck into the GATT implementation legislation.

And let me mention this as well. We were told when we voted for fast track for GATT, and I voted for fast track for GATT, that the only thing in the implementing legislation would be those things required by GATT. That is this General Agreement on Trades and Tariffs.

This provision that I am talking about today was not required by GATT, yet it was put into the implementation legislation as an underhanded attempt to put us into a situation where we had to vote for that agreement, vote for that change, or vote against the entire world trading system.

Those of us who voted for fast track were totally betrayed. We were be-

trayed, because we had made an agreement that the only thing in there would be those that were required by GATT.

Well, the change was made, and 2 years ago I moved forward to try to reinstate the guaranteed patent term, because the more I studied it, the more I found out how this situation smelled to high heaven. It was just something that had been put over through the GATT implementation legislation.

Later on, I found that this was not required by GATT, but what it was required by was a personal agreement between the head of our Patent Office, Bruce Lehman, and his Japanese counterpart to harmonize American law with Japanese law.

You heard me. There was a personal agreement from someone who had absolutely no right to make that agreement and expect that it would be just put into law without debate, that he could just sneak it into another piece of legislation. That was an agreement between that Government official, Bruce Lehman, and his Japanese counterpart. This is incredible.

So, we have the agreement that we are going to harmonize our law. Now, what happens in Japan? Yes, we are trying to harmonize our law with the Japanese law.

What happens in Japan? We already discussed the fact that the Japanese never come up with any new innovations, they take them from the United States. One of the reasons is because their patent law has this system, and when an inventor applies for a patent in Japan, he knows, or she knows, that the clock is ticking against the inventor and that all of a sudden, when the word gets out in Japan that this new invention has been requested, a patent has been requested for this new invention, what happens? The new inventor is confronted by corporate special interests who beat down that inventor until the inventor concedes ownership rights to the special interests.

So when you have huge corporations running roughshod over the people of Japan, of course the people of Japan do not invent very many things, because the creative people feel, why should they? And they put their energies into other things, like families and other things that are important to all individuals.

□ 1600

Do we want to have a system, do we want our system to be like the Japanese system? Is that what we want? Do we want to eliminate the guaranteed patent term because the Japanese did not have a guaranteed patent term? That is what happened in the GATT implementation legislation.

Step two of the attack, by the way, happened 2 years ago as well. Actually, last year we saw this. It was a comprehensive bill, H.R. 3460, which was submitted, a comprehensive patent reform bill. It was submitted and it almost got to the floor. I was fighting it

all year round. All year round. It almost got to the floor, but we managed to prevent it from getting to the floor.

What about H.R. 3460? That bill has now been reintroduced in Congress. Here we are in our first weeks of the session and H.R. 3460 has already been introduced. It is now called H.R. 400. This is the bill. I call it the Steal American Technology Act, H.R. 400.

What does H.R. 400 do? First of all it reconfirms the end, the demise of America's right to a guaranteed patent term. It basically reaffirms that. No longer will we ever have a dream, if this bill passes, of the right of a guaranteed patent term. Now it is an uncertain patent term, and I might add, it will put us in the same position as the Japanese, that the Japanese have with their major corporations.

This bill not only does that, but it drastically changes other patent rights. Up until now in the United States of America, throughout our 200-year history, a patent applicant would apply for a patent with the full understanding that everything that he was applying for with the Government would be confidential. In fact, people could be put in jail for disclosing the contents of a patent applicant. This is something we have held sacrosanct, that it is information that belongs to the patent applicant, the right of confidentiality, the right to be kept secret.

H.R. 400, that is the bill people are trying to push through this House, and they will be trying as the weeks go on, with ever-increasing intensity and every Japanese paid lobbyist that they can get down here.

This bill, what does it do also? This bill mandates that every patent application made in the United States of America will be published after 18 months. Published. We have gone from a right of a guaranteed patent term, that has been eliminated; then we have a right of confidentiality to our inventions, and now they are trying to eliminate that.

What does it mean? It means that every copycat in the world, every brigand, technological thief in the world will have every detail of every American patent application after 18 months. Many of our patent applicants will see their inventions manufactured overseas by copycat thieves before the U.S. Patent Office has had time to grant them a patent.

I sat in my office as the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary passed through that bill last year. There was a man who was a president of a small solar company and he was listening to it. He was enraged. His face reddened and his fists clenched. He said, Congressman, if this bill passes, my Japanese competitors will be taking my patent applications, they will be manufacturing my new ideas that I have spent millions of dollars developing. They will be taking the profit from the sale of my innovations to fight me

in court to destroy my own patent rights.

Is this a formula for catastrophe? Is this a formula for disaster? It is an invitation to thieves around the world to steal American technology. H.R. 400, the Steal American Technologies Act, it will not protect American inventors.

You will hear hoopla, hoopla, hoopla. It is a 90-page bill filled with platitudes trying to get people away from the central point that they are giving away America's technological secrets to the Chinese, the Japanese, and everybody else who could get themselves someone in Washington, DC to fax those materials to them around the world.

In fact, there will be a whole new industry outside the Patent Office. There will be people going from the Patent Office to the fax machines as rapidly as possible to get the information about new American ideas out, and who can go into manufacturing them the quickest before the Americans are even able to issue the patent.

This is something that the American people should be able to understand. Patent law is confusing. It is difficult to understand. But every American should understand that if we give our secrets away, if we publish them for the world, people who do not like us, who are our economic adversaries, will use our ideas against us.

What a catastrophe if the Wright Brothers, in building their airplane, were faced with a Mitsubishi Corp. who came down upon them and had every secret of their devices and said, no, this is our plane, this is our plane. You Americans did not invent this, we invented this. You would have two Americans in a bicycle shop facing massive Japanese corporations. That is exactly what is going to happen if those people who are pushing H.R. 400 have their way.

America's standard of living, we do not need the aerospace workers out in California, we do not need the aerospace industry, do we? That is what the Wright Brothers gave to America. They gave hundreds of thousands of dollars, millions of Americans great jobs and standards of living because we protected their invention. We gave them property rights to what they invented. We kept it secret until they were issued the patent. We do not give away our secrets and expect our enemies not to use them.

H.R. 400 also by the way obliterates the Patent Office; just by the way, it also eliminates the Patent Office from the U.S. Government. Just thought I would throw that in as well. It is like saying, oh, yes, we have decided to make the court system a quasi-independent corporation. That is right. They are going to take the Patent Office in H.R. 400 and they are going to turn it into a quasi-independent corporation.

Our patent examiners, who have a history of integrity and honesty, they have been protected by their civil service protection, they have a quasi-judi-

cial function. They are making legal determinations, legal judgments that will mean who owns billions of dollars of wealth in our society. Those people are now going to work for a quasi-independent corporation, and what influences will be on that corporation we do not know. We do not know.

It would be like saying, now we are going to rely on a private corporation to set up a judicial system before we know all the details on how it is going to function, as if patent rights—of course, they do not mean a thing. The American people would know what was going to happen if we were going to give corporations the right to run all the judges and all the courts in our country. They would know that. They would know we had better have every detail mapped out. We do not have every detail mapped out.

H.R. 400, the Steal American Technologies Act, would not only disclose all of our secrets, but our own people who are there to protect us, the patent examiners who are there to protect the rights of our citizens, will be put into an entirely different arrangement. They are no longer our representatives, no longer people who are working for the United States, working for the American people, they are working for some quasi-independent corporation.

I believe, I personally believe, in privatization. Any time we can have privatization, boy, DANA ROHRBACHER, is there. The National Taxpayers Union and all these other people know I am there when it comes to privatization. I think it is a good idea.

But I would not support privatizing all the courts. I would not support privatizing the Army. There are certain functions in Government. One of those functions happen to be the protection of our rights, and property rights, as I say, the intellectual property rights of our people, are going to be ever more important. So we are going to take that function away from employees at the Patent Office and turn it into a quasi-independent corporation?

Who is going to control it? Who is going to be on the board of directors? Are they going to be corporate representatives on the board of directors, maybe foreign corporations might be able to be on the board of directors? I do not know. We will have to find out those answers.

Basically, H.R. 400 will permit, the Steal American Technologies Act will permit foreign and multinational corporations to run roughshod over the American people in the same way they have been running roughshod over their own people. That is predictable. They are going to give them all the information. They are going to strip away the rights that have protected American inventors. You do not expect that these huge powerful corporate interests that have had such incredible impact on their people in their own countries are not going to come over here and try to do the same thing to our people.

In a few days I will be introducing a bill which will counteract H.R. 400. My bill, like a similar bill that I had last year, will be entitled "the Patent Term Restoration Act." This bill offers us a chance to restore to the American people the guaranteed patent term which has been our right since our country's founding. I am asking my colleagues to sign on as cosponsors.

The other side has already had their multinational corporate interests putting pressure on our colleagues here. This is a free society. They have a right to speak. They have a right to talk to their representatives. But it is important that the American people have their influence as well. Every American needs to talk to his or her Member of Congress, his or her Member of the House of Representatives, and ask that that representative cosponsor the Patent Term Restoration Act, and oppose, please, and oppose the Steal American Technologies Act, H.R. 400.

Last year my bill, which is basically similar to the bill that will be reintroduced in the next few days, last year we had the support of biotech companies, we had the support of those who are under attack from all over the world, we had the support of labor unions, we had the support of venture capitalists, the pharmaceutical companies, major universities like the Massachusetts Institute of Technology. But more importantly, we had support from every individual inventors' organization in the country. In short, we had the support of the little guys versus the big guys.

This is the ultimate fight of the little guys versus the big guys. In America's history, in America's history, the average person, the little guy, has always come through because our Government is designed not for the protection of people who can hire stables of lawyers to do their bidding, and that is what H.R. 400 would do, the Steal American Technologies Act will do. It will mean that the big corporations who can hire the lawyers will have Government protection of their rights, but the rest of us will be left out.

But we are not going to permit that to happen, because we can mobilize support in Congress if the American people will speak to their Congressmen, if they will call their Representative in the House of Representatives and say, "We want you to support H.R.," whatever the bill will be, which is basically the Patent Restoration Act, the Patent Restoration Act, and to oppose H.R. 400, which is the Steal American Technologies Act.

Japanese corporations, as I say, and Chinese, and all these people, when you hear people talking about the global economy, by the way, I believe in a global economy. No matter what we do, we are going to have a global economy. We are going to have a more global system, because communications and transportation are better than ever, thanks to the Wright Brothers and thanks to Thomas Edison and a lot of

other people. But the fact is that we cannot use that concept as an excuse to diminish the rights of our people.

If we are going to harmonize our law with Japan or anyone else, we must bring their standard of protection up to that of the American people. That is what this debate will be all about, of whether or not we can—the big shots, of course, they can just have their lawyers do the work for them, but the rest of us depend on these things being written into law, these protections to be written into law.

We need to restore the American guaranteed patent rights. We need to restore them, and when we face these issues of global economy in the future, we must face them with the understanding that we will not be entering the global economy by basically diminishing the rights of our people. The American people can understand that. The American people, if they speak to their elected Representatives, their will, their will will take precedence over the powerful special interests.

Today we join the battle. Today we will begin a fight that will be decided before August, and before August, through this body, will come through either a bill that is aimed at restoring the guaranteed patent term to the American people, or H.R. 400, the Steal American Technologies Act.

□ 1615

This will determine the future of our country. People will not fight for the American people unless the American people fight for themselves. We must all participate. I am confident that just as in the past, the American people will be the winners and that in the future of our country, when we evermore in the years ahead look to technology, we will be the technological leaders. We will not, our people will not go out to do battle, to do battle with enemies and adversaries around the world in equipment and weapons that are inferior technologically.

Think about having to disclose every new patent idea after 18 months, whether or not the patent has been issued. That means our adversaries, who might want to destroy us, will have technology that can actually target America for destruction. Certainly they will have information that can target American jobs and the standard of living of our people for destruction.

But we will win this battle and we will win the battles in the future because we will be strong and the American people will speak loudly and rise up and prevent this abomination of H.R. 400, the Steal American Technologies Act, from passing and will demand their rights be restored, patent rights and their rights to decency and their rights to opportunity as American citizens.

#### PROBLEMS OF THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore (Mr. CALLAHAN). Under a previous order of

the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I appreciate the attention that the Speaker and, more recently, the President has given to the problems of the District of Columbia. The reason for that attention is that those problems are indeed desperate.

Let me concede that there are operational problems of the city that must be laid at the feet of the city and the city has accepted that challenge.

I come as an advocate for my city, not as an apologist. All the analysts also say that there are structural defects in the financial relationship between the city and the Federal Government. They can perhaps be summed up in the notion that this city pays for State, county, and municipal functions and, though the vast majority of those who work in the city come from the suburbs, it is the District that must pay for the services they use. And they make no contribution.

As a result, I have introduced a bipartisan bill, the District of Columbia Economic Recovery Act. It is a progressive tax cut. Essentially it would allow the residents of the District of Columbia to use their own money to save the Capital of the United States.

Why is this necessary? Perhaps that is best understood by looking at this chart, "Frightening Decline of D.C. Tax Base." Mr. Speaker, this is 1990. This is the year 2000.

When cities begin to lose their tax base at this rate, the State kicks in and keeps them from going belly up. There is no State to do that for the District of Columbia. Most cities, particularly the large cities of the United States, Detroit, New York, Chicago, Newark, LA, would not have been left standing if, given similar flight, they had not had a State as a safety net. If the District were not stateless, I would not have put in my tax-cut bill. The President will speak tonight, I believe, of a proposal he has to help the District by taking some of the cost of State functions from the District and taking back pension liability that the Congress built up.

The fact is that as grateful as we are for a proposal that is serious, it is marginal. It would take about 10 percent of what District taxpayers pay now and, remember, those taxpayers are rapidly disappearing. It would leave those same disappearing taxpayers with 90 percent of the costs they now pay.

My bill contains protections against gentrification. It is a progressive tax cut based on income. Mr. Speaker, no one even speaks today of the underlying democratic flaw that afflicts the Capital of the United States. It is the last great injustice on American soil, that the District is third per capita in Federal income taxes and yet has indeed taxation without representation. The four territories have a delegate just as the District does. They pay no Federal income taxes. I even won the