

\$70 billion. Drug abuse fuels spouse and child abuse, property and violent crime, the incarceration of young men and women, the spread of AIDS, workplace and motor vehicle accidents, and absenteeism in the work force.

For our children's sake and the sake of this Nation, this menace must be confronted through a rational, coherent, cooperative, and long-range strategy. I ask the Congress to join me in a partnership to carry out this national strategy to reduce illegal drug use and its devastating impact on America.

WILLIAM J. CLINTON

THE WHITE HOUSE, February 25, 1997.

INTRODUCTION OF LEGISLATION TO RESTORE PATENT RIGHTS TO THE AMERICAN PEOPLE

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

Mr. ROHRBACHER. Mr. Speaker, today I have submitted to Congress legislation which will restore to the American people the patent rights that have been protected by law in our country since the ratification of our Constitution.

Now, I say restore to the American people because unbeknownst to our population, and I might say unbeknownst to many Members of Congress, over these last few years our patent rights have been under attack and that attack has already greatly diminished the patent protection, the rights that our people have had in the area of intellectual property rights for their inventions, to control their products and their genius, the protection they have had since the founding of our country. This has been, already, as I say, let me repeat, greatly diminished.

To be specific, we as a people have already lost our right to a guaranteed patent term. Now, that may sound a bit innocuous, because most Americans do not know what I am talking about. A guaranteed patent term? Yes, Americans, from the founding of our country until just 2 years ago, had a right to a guaranteed term where they would control and own their inventions. Every generation of Americans has been confident that no matter how long after filing for a patent, no matter how long it took the patent to be issued, the owner of the patent, once it was issued, would have a guaranteed term of 17 years of ownership from which to benefit from his or her invention.

Now, this may seem a bit obscure, it may seem a bit innocuous in terms of why would someone be so concerned about this little part of the law? Well, American investors and American inventors have had, since our country's founding, the strongest protection of any people of the world. That counts for something. And it does not just count for the well-being of inventors and investors.

Now, some people believe the American miracle is a result of the vast resources of the United States of America. They look at our oil and our gold and our minerals and our lakes and our streams, and they look at the trees, and they look at all of the vast expanses of territory and say that must be the basis of America's well-being, of its economic strength. Well, that is not the basis of our strength. What has given us a higher standard of living and produced a country where opportunity has been unlimited compared to other countries of the world is that we produced more wealth than other societies. Thus, the wealth that we produced pushed up the standard of living of the average person and opened doors of opportunity never seen or even dreamed of before in other countries.

We produced more wealth not because we worked harder. It is almost a cliché to say that Americans work very hard. Well, I know many people around the world who work very hard, and I know many nations around the world who worked very hard throughout history and that got nowhere. Their people did not benefit or profit. It was not an uplifting of the human experience for them to work hard.

Our people worked hard but it was coupled with two things: It was coupled with freedom, which was vitally important, but it was also coupled with the fact that the United States was always on the cutting edge of technology. The work of our people was magnified over and over again by the fact that our people were using the best and the latest equipment and technology to get their job done, which made our people more productive and more competitive than the vast numbers of people and the huge multitude of populations throughout the world who worked just as hard and had just as much muscle and got up in the morning perhaps even earlier than Americans. But that their labor was not magnified by the technology that produced much more wealth per hour worked.

Our Founding Fathers believed in this. They understood it. In fact, they made sure that it was written into our Constitution. And the laws that we passed concerning the ownership of technology was based on the idea that if we encourage people to own the things that they developed, that more things would be invented here and that the lifestyle of our people would be improved by the genius of our people because people would seek to create new inventions that would build the wealth and raise the standard of living. We know that. We are very proud of that as Americans.

In fact, one of the things Americans are most proud of is the fact that we were the people who invented some of the most important inventions in the history of mankind. Samuel Morris, who invented the telegraph; Robert Fulton. These were not rich people who just managed to buy their way into some invention. They were common or-

dinary people that invented things that changed the world forever.

Thomas Edison. Here I sit under electric lights and I wonder what this body must have done before there was electricity; how we were able to function without electricity. Certainly how can we have a democracy when we do not have the radio technology or the television technology or the printing technology that permits the huge number of citizens to participate in their open government?

Alexander Graham Bell; another person who came from great adversity in order to invent something that changed the face of the planet and has magnified the amount of wealth available to the common man beyond anything that was ever believed before.

The Wright brothers. The Wrights' first flight down in North Carolina, which I recently visited. These two young men who worked in a bicycle shop, whose education was limited but whose imagination and tenacity and intelligence was superior. They pushed and they pushed, and they knew that if they had their invention, if they could conquer the secrets that would lead mankind to flight, they would own that technology for 17 years. They knew it would be their property. That is the same with all the inventors I just mentioned.

Our technology laws brought us through cold wars and hot wars, it brought us through times of great peril and it brought us through times of great development in our Nation. We were the most undeveloped nation of the world and we became an industrial power, and also a power in which economic activity was so diversified and spread throughout the population that all people of all backgrounds were able to have opportunities that were never dreamed of, as I say, in other countries.

This was a result of our laws. It did not just happen. It did not just happen. It happened because we had the strongest patent protection of any country of the world and, thus, we benefited more than any country of the world from the development of new technology and new inventions.

Well, 3 years ago, I sadly say, a plan was put into motion to change that fundamental protection that Americans enjoyed for so long. The American inventor and the American investor, who before were certain that they would have a guaranteed patent term no matter how long it took them once they had applied for the patent, no matter how long it took them to get that through the patent process after they had filed, and Alexander Graham Bell and Thomas Edison fought for decades at times to try to get their patents through, they knew at the end of that time there would be 17 years in which they would own their technology and be able to benefit from it. Thus, the investors were able to come through with the money that was necessary to do the work and the research

necessary to change the condition of mankind.

In its little way the electric light, what a little way, it changed mankind. Just that little electric light changed all of humankind forever. That did not just happen. It took people to invest in research facilities and to pay salaries and to make sure the job got done. But they knew if they invested they would have 17 years of guaranteed patent protection to get that money back.

Already, as I have stated, that right has been eliminated and, actually, the patent protection offered by the law has been significantly diminished. The American people do not even know that. The guaranteed patent term, was quietly, almost secretly replaced by an uncertain patent term.

Now, what is this uncertain patent term? It looks very innocuous. What it says is 20 years from filing, when you file, 20 years later you have no more patent protection. What that means is if it takes you 10 or 15 years to get your patent, which has been the case with major breakthrough technologies, well, you just do not have any time left. You do not benefit at all.

That was a tremendous change in our fundamental patent law, our fundamental law of ownership of technology. As we enter an era of technology and ideas and global competition, we have changed that fundamental law that guided us through. Why did we do that? How did they do that? That law was changed by putting in a small provision into the GATT implementation legislation that most of the Members of this Congress did not know was in that legislation.

□ 1715

This fundamental change in our law that is so important to the development of technology that will keep America strong, so our people can have a higher standard of living and can beat the foreign competition, that was just changed. It was put in there in the GATT implementation legislation. This Congressman struggled to find out if it would be included and was not told, it was kept secret from me until the last minutes before the GATT was sent to this body as to whether or not they were going to include this provision.

Interestingly enough, the provision I am talking about was not required by GATT. To let someone know what GATT is, GATT is called the General Agreement on Trades and Tariffs. What it was was an agreement negotiated over a number of years between the countries of the world in which they generally agreed to what the rules of the game of trading would be.

Our Congress decided that we would give what we call fast track authority to our Federal Government, to the President, to negotiate with these other countries and fast track means that he can come back and present us one piece of legislation that encompassed all the understandings that they

reached with the GATT implementation, or with the GATT agreement. So this General Agreement on Trades and Tariffs could be presented to us in one package and we would vote up or we would vote down on that one package.

We gave away our rights to amend and to question this bill in parts in exchange for an agreement that we would have 50 days to look at the bill and that the only thing that would be put into this implementation legislation would be that which was required by GATT itself. So if the General Agreement on Trade and Tariff did not include the provision, it was not to be put in. That was part of our agreement with the administration.

Well, I am here to say today that this body, this Congress, was betrayed by the executive branch and this provision, which was not required by the GATT agreements, by the General Agreement on Trades and Tariffs, it did not require this provision. This provision was quietly put into place in hopes that it would just flow right on by and the American inventor and investor and, in the long run, the American people would never know what hit them.

Furthermore, of course, if you remember, the GATT implementation legislation was given us just like a few days before we were to adjourn. We would not even have the 50 days that were required of us, and we raised such a stink that a special session was called for us to vote on GATT. It was a lame duck session. But even then it was admitted to me that this provision was not required, but that if I agreed to just go along with it, if our people would vote for it, that they would have a chance to correct it later on.

So our right of a guaranteed patent term has already been eliminated. It has been eliminated. It is gone. It is replaced by this 20 years from filing, which means you have no guaranteed term and if it takes you 10 years to get your patent or 15 years, so what. And basically it is gone. It has happened. Why am I bringing it up, then, if it has already happened?

We are bringing it up because we are trying to restore that right to the American people and that is part of the legislation I have introduced today. But one might ask themselves, why is it that that law was changed in the first place? Who was behind this? What motivated people to want to change this guaranteed patent or eliminate it when it had done so much to benefit the American people? When as the greatest innovators and inventors in the world, we had so much to be proud of and that has to have something to do with our patent laws, who would want to change the law then? Who the heck would make this effort to sort of maneuver this thing through the system like that?

I am submitting for the RECORD a copy of an agreement that I have in my hands. It is a copy of an agreement between Bruce Lehman, who was the head of the American Patent Office,

and his Japanese counterpart, in which Bruce Lehman agrees to, quote, harmonize, end of quote, American law with that of Japan. This is dated 3 years ago. He is going to harmonize American law with Japan.

Well, let us look at what harmonize means. If we have the strongest patent protection of the world, which is what gave us the strength to outcompete our opposition, and Japan had a weaker system, do you think that I would be up here today if the agreement was being implemented by bringing the Japanese system and making it stronger protection for their citizens, so that Japan now had stronger protection for their own citizens? I would not be complaining about that. Why I am here today is because Bruce Lehman, the head of our Patent Office, and those people he has mobilized in the American Government and those people who are lobbying this bill, this issue, through the United States Congress have decided that harmonization of patent law means that the strongest patent protection of the world, of the United States of America, will be harmonized by bringing it down to the level of Japan.

Does that not make everyone feel nice and comfy, that our rights now are going to be diminished in order to make them the same as the Japanese? The Japanese of course are well-known for their creativity. They are well-known for all of their inventions. They are well-known for the innovations that have made their country the leader, in which everyone wants to copy.

What? What? No way. The Japanese are known, yes, as hard-working people. The Japanese are known basically as honest people. But they are not innovators. They are not inventors. They are not creative thinkers. In fact, they are just the opposite. They are people who do not invent things. They are people who copy things.

One of the reasons why they copy things and they do not invent things in Japan is because they have had a patent system which is like the one that we now have had foisted upon us. They have had the 20 years. What it is, they have a system that the inventor files and after 20 years the inventor no longer has any more property rights. No matter if it takes 15 or 18 years to get something through the system, the inventor, he or she, could lose all of their patent rights, but after 20 years they have got no more rights, in total contradiction and contrary to the American system which has been a guaranteed patent term of 17 years.

So in Japan, how has it served their people? If someone comes up with a new idea, they file for a patent, and within a short period of time they are surrounded by powerful economic interests who beat them into submission and destroy their incentive to invent and take away what they have created and use it for their own benefit. These economic thugs in Japan will not countenance any type of threat by some creative inventor.

In the United States we herald our creative thinkers. We think they are wonderful. We understand the value they are to our society. Now, we have changed our system to replicate that of Japan. What is going on here? And especially you must think about what is going on here when you realize by changing our law, we are permitting those same economic thugs in Japan to do the same thing to American inventors that they have been doing to their own people. This is an absolute outrage. Yet it has happened very quietly. Not many people have noticed. You might say it is a Pearl Harbor in slow motion. Years from now, people will not even know why the United States seems to be lagging behind when we were always up front. No, that is not what we are going to let happen.

The bill I dropped today will, first and foremost, restore to the United States and to the people of the United States a guaranteed patent term. A guaranteed patent term. I would hope that my colleagues will join me in cosponsoring and voting for and supporting vocally and otherwise my legislation. Thirty-eight of my colleagues have already joined me in cosponsoring this bill, to restore to the American people this right that was given up as part of a promise made to the head of the Japanese patent office, for Pete's sake.

And what else is going on? What else was in this agreement? I think it is fascinating for us to look at the agreement. The first part of the agreement is for us to change our patent law so that we no longer have a guaranteed patent term. That is gone, and now I am trying to restore it. But the second part of this is they want us to agree, and the head of our Patent Office has agreed to do this, to publish every detail of American patent applications so the whole world can see every one of our technological secrets and new ideas 18 months after the application has been filed, whether or not the patent has been issued.

What does that mean? That means that every one of our inventors who files, even if he has not had the patent issued to him, every thief and copycat on the entire planet will know every detail. Now if you think that is too outrageous to believe, no one would be dumb enough, no one would ever be dumb enough to do this, maybe some official would be dumb enough to do that. You know, some official, they might just sign away and try never to implement this. It is like the Japanese. They make an agreement, then they wait for you to do everything you have agreed to and then they may or may not follow through on what they have agreed to. No, we would not be that stupid.

Well, there is a bill now before Congress, H.R. 400, which will be going through the Intellectual Property Rights Committee of Judiciary tomorrow. That bill, surprise, surprise, is the second shoe falling on this agreement.

They have eliminated the guaranteed patent term. Now they want to, what? Publish all the inventors' applications in 18 months whether or not the patent has been issued. There is a piece of legislation, I call it the Steal American Technologies Act. They have submitted the bill, and it is being pushed through the process right now, right now as we speak. Tomorrow there is going to be a hearing, and I will be speaking about it at the hearing. I believe, and I do not think it takes anyone with a superior intelligence to realize, this is a giveaway of America's standard of living to the people who would cheat and steal and lie and copy all of our ideas.

There was a man involved in the solar energy industry last year when a similar bill was being pushed through the system, and when I told him about this provision, his face reddened, he clenched his fists and he said, Congressman, let me tell you what will happen if this becomes law. When I apply for a patent, my Japanese and Chinese competitors will have the information about my inventions even before I have my patent issued. They will be in production, they will be making money, and they will use that money that they have made on my inventions to destroy me economically. There will be nothing I can do to fight it. They will use money made from my invention to hire their lawyers to prevent me from having those property rights. This is what we are condemning our own business to by passing the Steal American Technologies Act, H.R. 400.

The bill that I submitted today, in direct contrast to H.R. 400, reconfirms the right of Americans, which has been another right American inventors have had, the right of confidentiality; that when an inventor steps forward and files for a patent, that that inventor has been guaranteed, by law, that his information will be kept secret and, if it is revealed, criminal penalties can be filed against those people who reveal that information. That has been the right of the American inventor, until now. Those advocates of H.R. 400, the Steal American Technologies Act, those advocates of this incredible agreement with the Japanese, would have us eliminate the guaranteed patent term and, number two, eliminate the right of confidentiality.

What will happen is those powerful interest groups overseas will know exactly who is trying to get a patent for what. They will be here with their lawyers pressuring people just like they do in their own country. What makes anybody think our people will be able to stand up to this type of beating and this type of coercion any more than the people of those countries have been able to stand up to their economic oppressors?

□ 1730

We are talking about countries that do not have the same idea of fair play that we have in the United States of

America, but what we are trying to do now is give us the same legal protections, minor legal protections that they have had, rather than the strong legal protections we have had traditionally.

My bill, in contrast to H.R. 400, guarantees the patent term, restores confidentiality. And finally, this bill, H.R. 400, which will be discussed tomorrow in the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary, that bill does something else. I just thought I would drop this idea in on everybody. How about the idea of obliterating the entire patent system of the United States of America? I mean people say, this Congressman is just way off base. What is he talking about? Obliterating the patent system? Right. He is just fooling us now.

No, H.R. 400 would eliminate the patent office as we know it and as it has been in place in our country since the founding of our country. Since the U.S. Constitution, we have had a patent office. Since the U.S. Constitution, there have been patent rights for our people. And do you know what? H.R. 400 would eliminate the patent office, and turn it into what? Turn it into a corporatized entity. Corporatized? What does it mean? Who is going to be in control of this corporation? Are foreigners going to be allowed to be on the board of directors? What are the rights of the people who work for the patent office, this new corporatized entity? Who knows? Who knows?

Now if you have a bill that contains such nonsense as publishing our secrets so that our adversaries are going to have every detail of our new technology secrets, and that is in the bill, you got to wonder if they have much more sense when they are talking about reincorporating this patent office.

Now, by the way, I happen to be a conservative Republican. I believe in free enterprise, and I believe in limited government, and I believe basically in privatization. People come up with privatization ideas, and I am always all ears for that. But I would not think about privatizing the court system, for Pete's sake. There are certain core functions of government which our Founding Fathers wanted. We would not want our judicial rights to be just put forth into some corporation that we did not know who was going to run it.

You know part of this corporate power that they have got in H.R. 400 grants this new corporate entity the right to borrow money in which, by the way, we taxpayers would be responsible to borrow money from the Federal Treasury in order to build buildings and anything else they want. We do not have the right to prevent that from happening.

I mean who is going to be in power and, by the way, what we have done then is what? The patent examiners make decisions. We have had patent

examiners for 200 years in our country's history. The patent examiners have to make the judicial-like decisions as to who owns what. Well, instead of being government employees with a protection of government employees to prevent them from being influenced by the outside, under the new corporate entity they will not have the same protections, they will not have the patent, the patent examiners will not have the same protections as they have had, so how do we know that they are going to have the same diligence? How do we know that there would not be pressure on them from the outside?

H.R. 400, the Steal American Technologies Act, puts America in jeopardy. It puts the life-styles of our children in jeopardy because our children 50 years from now, or the next generation or the generation after that, can wake up and say: My goodness, did not America used to be the technological leader? Something has happened.

Yes, something will have happened. It will have gone through in the GATT implementation legislation. There will be, you know, little known agreements made with the Japanese to make our system like theirs, and all of a sudden we will be different, things will change.

Let me ask you this. If the Wright brothers would not have had the protection that they had, and all of a sudden Mitsubishi showed up on their doorstep and said, our lawyers are suing you for \$10 million because we have a patent that looks a little bit like yours, that in fact we—certainly we filed it, and we got it before you were issued yours, and we find out, of course, the Japanese got all the blueprints because it was published 18 months after they filed, and that was actually before they were issued the patent. So we have a huge company, a foreign company on the doorstep of the Wright brothers.

Now, what difference does that make? Well, I will tell you if anybody has any aerospace workers in their district, I will tell you what difference it makes. It makes the difference of hundreds of thousands of high-paying jobs in the United States of America today versus those jobs in Japan. That is the difference it makes. It means a standard of living for those people having decent lives, taking care of their families, building the churches and the schools in our communities versus not having those jobs because that technology now belongs to Japan and we have to buy our technology from them.

These are the choices we are making now. It is economic surrender in slow motion, and it is done by people who are very well-meaning, and let me say that those people who are advocating this in Congress basically are people who believe that the United States has to do its part to form a global economy, and that is one of the driving forces that we are talking about here today, the creation of a global economy. These people believe that it is all right to diminish the rights of the

American people in order to achieve a global marketplace that will benefit all of mankind, including the American people.

Well, that is something, that is a motivating force that moves people along; and I strongly, strongly disagree with those who promote that concept. Many times they will not come right out and tell you, but that is what it is all about, the globalization. They call it harmonization with Japan, and really it is globalization.

Now, there is all kinds of things that we will be told, that actually our motive is to solve this or that problem. No.

After a year and a half of hard work last year, I happened to be on the floor when Congresswoman Pat Schroeder was on the floor, and I gave a speech similar to this speech about patent rights, and she was aghast because I was saying how bad it would be and what bad results it will have, and after a year of having the people advocating this bill claiming that the real purpose was to correct this or that problem; they call it submarine patenting, is a problem they claim to want to solve which in fact is nothing but a front, nothing but a front in order to basically advocate something that is going to have some very strong results in another area and submarine patent problem can easily be solved, and it is a minor problem that can easily be solved, but they were saying that was the real purpose why we have to destroy the whole system.

Well, in fact Mrs. Schroeder, who was not ready for a debate, just came right out and said what her real intent was. That bill, H.R. 3460, the Moorhead-Schroeder bill, which is their H.R. 400 last year, is about making our patent office uniform with both the one in Europe and the one in Japan. She came right out and said it. That is the first time anyone did come out and say it because that had not been the party line up until that point. But no matter what people give you as their reasoning, there are very detrimental things that are going to result from changing the fundamental patent rights of the American people.

The multinational corporations whose loyalty is I do not know where, are solidly behind H.R. 400 because they want to create the global marketplace, even if it means that American people are going to suffer. My bill, which I turned in today, the legislation I turned in today, puts the rights of the American people first. We should not think about harmonizing our law with other countries by diminishing the rights of our people. I do not care if it is freedom of speech or freedom of religion or whatever it is.

This will be a hard-fought issue in Congress. Basically major universities, capital—and basically people who invest in new inventions, the venture capitalists and the small inventors are working with me on legislation, on my legislation, to make sure the rights of

the American people are restored and protected and that the patent office remains an efficient and well run part of the U.S. Government and that those people, those patent examiners, are protected from outside influences and are guaranteed their civil service protections.

On the other hand, you have people in the electronics industry who basically do not believe—they think that things are moving so fast anymore, the patent system has just become a big pain, and they do not really like it anymore, and they are stealing from each other right and left, and the American electronics industry is doing everything they can to eliminate the guaranteed patent term, and those are the major big companies that are supporting H.R. 400. There are also some major biotech companies that are supporting my legislation, like Amgen and some biotech companies on the other side that have felt the pressure from international corporations in other countries.

We have some people on the other side who honestly believe, as I say, in globalization. These major corporations basically believe that if we have a global economy, they will be able to do business. Our universities, our inventors and our venture capitalists are on the other side of this battle. It will be fought and it will be fierce.

The factor that will make the difference is whether or not the American people get involved themselves. If it is left up to the lobbyists who are hired by the international corporations and by other countries, the lobbyists that flood through these halls in order to try to push Congress in one direction or the other, the American people will see this right diminished, and they will see other rights in the near future and in the time ahead will also be jeopardized if they do not get involved.

But Congress is still listening to the American people. The American people need to have their opinion on a strong patent system. They need to know, the Congressmen need to know, that they should support the Rohrabacher patent bill, the Patent Restoration Act, and oppose the Steal American Technologies Act, H.R. 400. If the American people speak up, their voice will be heard louder and more clearly than those of the paid lobbyists. But if people do not contact their Congressmen, this issue will be lost, and future generations will never know what hit them. They will never know that for 200 years America had the strongest patent protection in the world and we were the technological leaders of the world and then somebody sort of changed the rules of the game, a change that we did not even notice was going on, and slowly but surely we were no longer the technological leaders of the world and America was not No. 1, but America began to decline.

Is that not what happened? I can hear people saying it right now. I can hear our grandchildren and their children

saying: Did we not used to invent everything? Did not that give America the leverage we needed? Why is it that our standard of living was going down when it was always going up before?

Changing these laws will have dramatic consequences. We cannot expect this Congress just to come to this decision on its own because the lobbyists will be pushing in the wrong direction. The American people must—their voice must be heard. H.R. 400, the Steal American Technologies Act, must be eliminated, it must be defeated, and the Patent Term Restoration Act, my bill, Congressman ROHRABACHER's bill, should pass, and if we do, we can sit and have faith in the future again because we can sit back and know we did our part to ensure that the legal structure which served our country so well for 200 years was maintained and that when there was a brutal attack on that legal structure, we stepped forward to beat back the assault and to protect future generations from loss.

Mr. Speaker, I ask my colleagues to join me in sponsoring my piece of legislation, the Patent Term Restoration Act, and to defeat H.R. 400, the Steal American Technologies Act.

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 to 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.

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 Members (at the request of Mr. HILLEARY) to revise and extend their remarks and include extraneous material:)

Mr. PAPPAS, for 5 minutes, on February 26.

Mr. SESSIONS, for 5 minutes, on February 26.

Mr. GEKAS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. RANGEL) and to include extraneous matter:)

Mr. BONIOR.

Mr. BERRY.

Mr. STOKES.

Mr. CONDIT.

Mr. UNDERWOOD.

Mr. DEUTSCH.

Mrs. MALONEY of New York.

Mr. BENTSEN.

Mr. SKELTON.

Mr. CLAY.

Mr. FRANK of Massachusetts.

Mrs. MEEK of Florida.

Mr. TOWNS.

Mr. FATTAH.

Mr. LIPINSKI.

Mr. DELLUMS.

Mr. FILNER.

Mr. CARDIN.

Mr. HOYER.

Mr. KILDEE.

Mr. STARK.

Mr. KUCINICH.

(The following Members (at the request of Mr. HILLEARY) and to include extraneous matter:)

Mr. DEAL of Georgia.

Mr. PETRI.

Mr. RADANOVICH.

Mr. SESSIONS.

Mr. FORBES.

Mr. CRANE.

Mrs. MORELLA.

Mr. BILBRAY.

Mr. CANADY of Florida.

Mr. PORTER.

Mr. DAVIS of Virginia.

Mr. SOLOMON.

Mr. PACKARD.

Mr. SCARBOROUGH.

Mr. MILLER of Florida.

(The following Members (at the request of Mr. ROHRABACHER) and to include extraneous matter:)

Mr. STEARNS.

Mr. BONIOR.

Mr. CONYERS.

Mr. CLEMENT.

Mr. BERMAN.

Mr. GINGRICH.

Mr. BLUMENAUER.

Mrs. MINK of Hawaii.

Ms. NORTON.

Mr. WAXMAN.

Mr. POSHARD.

Mr. FORD.
Mr. STARK.
Mrs. THURMAN.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 26, 1997, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1832. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Tomatoes Grown in Florida; Assessment Rate [Docket No. FV96-966-1 FIR] received February 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1833. A letter from the Under Secretary of Defense (Comptroller), Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act—Air Force violation, case number 95-02, which totaled \$43,170, occurred in the fiscal year 1988 military construction, Air National Guard appropriation, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1834. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of February 1, 1997, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 105-46); to the Committee on Appropriations and ordered to be printed.

1835. A letter from the Principal Assistant Deputy Under Secretary (Industrial Affairs and Installations), Department of Defense, transmitting the Commission's final report on alternative utilization of military facilities, pursuant to Public Law 100-456, section 2819(b)(4) (102 Stat. 2120); to the Committee on National Security.

1836. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's "Major" final rule—Bank Holding Companies and Change in Bank Control (Regulation Y) [Docket Nos. R-0935; R-0936] received February 20, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1837. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year, if any, and the budget year provided by House Joint Resolution 25, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-578); to the Committee on the Budget.

1838. A letter from the Assistant Secretary, Department of Education, transmitting Final Regulations—Research and Demonstration Project and Rehabilitation Research and Training Center, pursuant to 20 U.S.C. 1232(f) GEPA, section 437(f); to the Committee on Education and the Workforce.

1839. A letter from the Assistant Secretary, Department of Education, transmitting Final Regulations—Projects With Industry, pursuant to 20 U.S.C. 1232(f) GEPA, section 437(f); to the Committee on Education and the Workforce.

1840. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of final funding priorities