

Yes, the business leaders in the tobacco industry deserve sharp criticism. Once this precedent of paying medical bills is set, the manufacturers of automobiles will then be liable for all accidents even if the drivers are speeding and intoxicated. Chocolate addicts can then sue Hershey, fat people can sue cattle ranchers. The whole notion that tobacco companies should pay for tobacco-related illnesses is absurd.

The tobacco deal does great harm, because it further undermines the principle of self-responsibility. The spread of this concept will not only push up the costs of medical treatment and the products involved, it could actually encourage the use of dangerous products. The response of potential users will be, "If I'm unfortunate and become ill or injured, the seller or the Government will be made to take care of me"—a very common reaction in a welfare state. To the extent one can lower the cost of one's own risky habit by socializing it, one is less likely to worry about consequences and more likely to engage in that dangerous behavior.

If this attitude toward consumer risk is not changed, the free society that we once had cannot be restored.

I'd like to see a spokesman for tobacco come forward and insist on recognition of the moral principle that individuals have responsibility for themselves and a duty to make choices and assume the consequences of the risks they take. My advice to him would be to give up the subsidies, demand freedom, and fight the social misfits who argue for collective guilt and collective responsibility. Any other course of action will lead to more evils.

#### CONGRESSIONAL CAUCUS ON WOMEN'S ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized during morning hour debates for 5 minutes.

Ms. NORTON. Madam Speaker, the women of the House have something to celebrate this evening. Nearly all—Republican and Democratic women alike—are members of the Congressional Caucus on Women's Issues. The caucus will celebrate 20 years of historic legislation and other milestones for women, families, and children led by the Women's Caucus for two decades.

Madam Speaker, an all-star cast will be on hand at the elegant Andrew Mellon Auditorium for the 7 p.m. dinner led by remarks from President Clinton himself. Secretary of State Madeleine Albright will speak, ABC's Cokie Roberts, the daughter of former Congresswoman Lindy Boggs, will MC, and "Sweet Honey in the Rock," the award-winning singing group, will entertain.

Today, 50 of the 52 women of the House are members of the caucus. We are more than three times the group we were in 1977 when 15 Members led by former Representatives Elizabeth Holtzman and Margaret Heckler founded the Congressional Caucus on Women's Issues. Resolutely bipartisan from

that day to this, the caucus has a list of achievements that boggle the mind. Here is a sampling from the honor roll of legislative landmarks achieved through the leadership of the Women's Caucus:

The Family Medical and Leave Act, the Violence Against Women Act, the Pregnancy Discrimination Act, retirement equity legislation, child support enforcement legislation, the Mammography Quality Assurance Act, legislation that established the NIH Office of Research in Women's Health, legislation barring health plan discrimination against victims of domestic violence and against the genetic information of clients, criminalization of female genital mutilation, and policies requiring that women be included in clinical trials. There is too much more where that came from to name and there is lots more to come.

Madam Speaker, this year we have initiated new approaches in the caucus that promise even greater legislative production. We have inaugurated a series of Women's Caucus hearings and we now have 14 issue teams, each led by a Republican and a Democratic Member. My cochair, the gentlewoman from Connecticut [Mrs. JOHNSON], and I have worked hard in the tradition of prior Republican and Democratic co-chairs, the gentlewoman from Maryland [Mrs. MORELLA] and the gentlewoman from New York [Mrs. LOWEY], former Congresswomen Liz Holtzman and Margaret Heckler, former Congresswoman Pat Schroeder and former Representative and now Senator OLYMPIA SNOWE.

Tonight we are throwing ourselves a party. We hope to see our colleagues there.

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

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from North Carolina [Mr. COBLE] is recognized during morning hour debates for 5 minutes.

Mr. COBLE. Madam Speaker, I want to respond to the unfounded and increasingly bizarre criticism of H.R. 400, the 21st Century Patent System Improvement Act.

Throughout the winter and spring of the current session, I have been involved with the writing, reshaping, and marshaling support for H.R. 400. While I understand that the legislative process is necessarily deliberate and often contentious, I confess my ongoing amazement that this bill has engendered so much controversy.

Madam Speaker, we are not talking about a red meat issue that divides people on partisan ideological lines. This is not a subject matter that hits at the gut or tears at the heart. This is not gun control, abortion, or the death penalty. This is a patent bill, but significant to America's economic well-being.

Now, for most people the words "patent bill" are sufficient to induce sleep. For a small minority, however, it inspires a level of paranoia that reaches biblical proportions. I recently witnessed two floor critiques of H.R. 400 and S. 507 and the experience was quite revealing, Madam Speaker.

Previously, I was led to believe that my exclusive motivation in sponsoring H.R. 400 was to destroy the U.S. patent system. But no, I am far more ambitious. I have now learned that Senator HATCH and I are part of a nefarious plot designed to ruin the United States of America financially.

Madam Speaker, the two orations through which I sat were, charitably considered, devoid of factual content. Worst still, however, were the base metaphors and clichés invoked to drive home the opposition's point. There were references to secret deals with the Japanese Government that will enable Japanese corporations, Chinese corporations, huge multinationalists, and if it can be believed, the People's Liberation Army, to bully the little guy and brutalize Americans.

Representatives from American corporations were criticized for having talked to Congressmen and were clearly identified as members of the enemy. Presently, the paranoid jumble was tied together and we learned that H.R. 400 and S. 507 constitute the first fight in a war that, if not won on our opponents' terms, will result in the complete internationalization of American economic activity and the total elimination of our liberty. I recall no mention of black helicopters or drug trafficking by the Queen of England, but such testimony is sure to follow.

Madam Speaker, for anyone who cares to know the facts, H.R. 400 and S. 507 are forward-thinking attempts to make our current patent system even stronger. Both bills would allow the Patent and Trademark Office to operate more like a business on a day-to-day basis, while subjecting the agency to congressional and executive oversight.

Good faith users of the patent system, those who the Constitution was intended to protect, will be guaranteed a minimum of 17 years of patent term and, in most instances, will receive more than 18 years.

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Far from hurting applicants, the publication feature of H.R. 400, or what is left of it, will inhibit patent submarining, which does indeed harm American businesses and generally violates the constitutional spirit of patent policy. Both bills also create a new patent pending right, along with a commercial use defense for inventors who do not have the resources to file for protection. And companies which pedal application scams to innocent inventors will be punished severely under H.R. 400.

A well-known American inventor once wrote, "with the change of circumstances, institutions must advance

to keep pace with the times." This inventor, Madam Speaker, was Thomas Jefferson and he knew a little bit about the Constitution, which charges the Congress with the duty of promoting the progress of science and useful arts through intellectual property.

None of us discharges his or her duty by pandering to the worst instincts of other people. Nor do we honor ourselves by pretending that complex and arcane subject matter is easily and snappily explained. The regrettable effect of the two lectures just described is that they may motivate 20 or 30 people in some Member's district to write or call urging a "no" vote on the patent bill. I urge support of the patent bill.

#### SEXUAL PREDATORS

The SPEAKER pro tempore (Ms. GRANGER). Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas [Mr. LAMPSON] is recognized during morning hour debates for 5 minutes.

Mr. LAMPSON. Madam Speaker, yesterday the people of Friendswood, TX, whose lives have been inexorably altered by the kidnapping and murder of 12-year-old Laura Kate Smither, saw a light at the end of their tunnel. Police Chief Jared Stout announced yesterday that they had a prime suspect who was in custody. The Friendswood police were able to name this suspect after his arrest for kidnapping a 19-year-old woman from a nearby community called Webster.

In the case for which this suspect was arrested, he approached a young woman changing a flat tire and offered assistance, but as he approached, he pulled a knife on her and ordered her into his truck. This woman escaped by throwing herself out of his truck, which was moving down an interstate highway at 70 miles an hour sustaining significant injuries.

That was not the first time this individual had attacked a woman. The prime suspect in the murder of Laura Smither had been sentenced on December 18, 1986, to a total of 28 years for convictions on charges of aggravated kidnapping, forcible oral sodomy, and rape. He was released a year ago. He served less than half of that sentence, and now this man has been named as the prime suspect in the slaying of Laura Smither.

In less than a year, this individual, who had committed previous acts of kidnapping and violent sexual assault, has already been charged with aggravated kidnapping again. It is outrageous. Scientific data demonstrates that individuals who commit sex crimes against children have the highest recidivism rate of any criminal. It is irresponsible, if not downright negligent to release this individual back into society after serving only 10 years of a 28-year sentence for aggravated kidnapping, forcible oral sodomy and rape.

Violence against women and children cannot be tolerated. It cannot be excused. It cannot be swept under the rug. Rape and sexual violence are not minor offenses. They are violent attacks that violate the body and violate the human spirit. These crimes must be punished swiftly and severely. An Oklahoma court tried to do that when it sentenced this man to 28 years in prison. But somehow in that State's criminal justice system someone decided that 10 years was enough for that rapist. And less than a year later, one 19-year-old woman had to throw herself out of a truck to save herself, traveling 70 miles an hour down a highway sustaining significant injuries, to save herself from a rapist. And when Chief Stout's investigation is completed, we are likely to learn that this individual has committed a total of three acts of aggravated kidnapping, one act of forcible oral sodomy and two rapes and a murder.

We cannot lose these people in this system. Yes, this man was registered as a sex offender, but if he had been an incarcerated sex offender as he was sentenced, we might have a 12-year-old child alive today.

As for Bob and Gay Smither, they may soon know for certain who took their little girl away never to return again. That is little solace, but that is what the Friendswood Police Department has worked so hard to accomplish since we discovered Laura's body on April 20. We thank and salute them and the Webster Police Department, as well. And today we still pray, as many did last night gathered in Stevenson Park in Texas. We are all still mourning, and worst of all, we must continue to pray for the safe return of Jessica Cain, who has kidnapped from the same vicinity on August 17.

It was the way the community came together to search for Laura that spurred me to form the Congressional Caucus on Missing and Exploited Children. I am proud of the fact that 80 of our colleagues in the House have joined the effort to protect our children and reunite families. But this morning, Madam Speaker, I am frustrated and angry. Whatever we do here in Congress will not matter a bit if we do not punish these sexual predators and make them serve their full sentences in prison. Madam Speaker, we cannot allow more of these tragedies.

#### FDA'S MISGUIDED POLICY COULD HARM PATIENTS WITH RESPIRATORY PROBLEMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. STEARNS] is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Madam Speaker, on March 6, 1997, the FDA issued an advanced notice of proposed rulemaking, which set forth its plan to ban CFC-containing metered-dose inhalers once certain criteria are met. The plan was

developed in collaboration with the Environmental Protection Agency and is intended to eliminate the minuscule amount of CFC's currently allowed to be used for medication delivered by metered-dose inhalers.

CFC is the abbreviated term used to refer to chlorofluorocarbon gas. There are tens of millions of Americans who suffer from asthma; 5 million of those are children. These patients depend upon CFC-propelled metered-dose inhalers to treat their asthma and to help them breathe. With over 5,000 deaths each year in America due to asthma, I am convinced that the FDA's rule would eliminate treatment options for asthmatic patients.

Today, I want to talk about H.R. 2221, legislation that I, along with my colleague, the gentleman from New Jersey [Mr. SMITH], introduced on July 22 of this year. Since that time I have received tremendous support from all over the country. With 28 cosponsors, the bill continues to receive new cosponsors daily. The bill would require the Secretary of Health and Human Services to take no further action on the FDA's proposed ban on CFC-containing metered-dose inhalers.

My colleague, the gentleman from New Jersey [Mr. SMITH], and I are working with Members from the House and Senate from the relevant committees in an effort to add language in the conference report to the Food and Drug Reform legislation. It will direct the FDA to withdraw its March 6, 1997, advanced notice of proposed rulemaking and to take no further action to promulgate a proposed final rule on the basis of such advanced notice.

Madam Speaker, recently it has been pointed out in several leading publications, including the Wall Street Journal editorial dated September 17, 1997, that asthma is on the rise in our Nation. It is the most common chronic illness affecting children. In fact, among children's chronic diseases, asthma is the No. 1 reason for school absenteeism. Asthma mortality is also on the rise. Explanations for the increasing prevalence, morbidity and mortality are varied. Regardless, these populations include children, especially poor children living in urban areas.

Are not these the very children that the EPA claims it is helping with its new air quality standards? This misguided policy is definitely the case of one hand not knowing what the other hand is doing.

With one hand, the EPA presents new air quality standards that are supposed to protect the health of asthmatic children, while on the other, the FDA proposes to ban life-saving metered-dose inhalers from the market. The result of these actions would be to deny these children the treatment to help them to lead almost normal lives.

Madam Speaker, I urge my colleagues on the conference to adopt the language that I have presented and outlined in their final report. I urge my