

alone, without serious consideration of whether these human gene patents are helping us achieve our broader societal goals.

Congress has the ability to change the patent law if it is not serving the public interest. We do so in small or large ways nearly every Congress. It is clearly time to review whether this body of law is working. It is obvious from some of the anecdotes that I have cited that the current system is causing strains. Many labs and universities are steering in the biomedical sciences is becoming increasingly sticky. Genetic tests could become prohibitively costly or inaccessible, or could become engulfed in wasteful, legalistic cross-licensing scrimmages.

This bill would direct the OSTP, through the National Academy of Sciences if it wishes, to study these issues, to report to the Congress with its findings, and to lead the development of Federal policies based on these findings. This would be the first systematic study of where human gene patenting policy is taking us, and it is long overdue.

Some may see a contradiction between these two bills—namely, that the second bill calls for a study of problems for which I have already proposed solutions in the first bill. However, I believe there is ample justification for the limited reforms I propose in the “Research and Diagnostic Act” and that in short order these steps will be shown to serve the public good. A decision on whether Congress should make even more dramatic changes to the genetic patenting regime (for example, by making the diagnostic exemption retroactive) should await further study and discussion. The study called for in the second bill would provide us with guidance for those additional steps.

Abraham Lincoln described the patent system as “adding the fuel of interest to the fire of genius”. I am concerned that the current Federal patent policy as applied to genetic sequences may be smothering the fire of genius. Patents are intended to encourage openness and to prevent trade secrets. Current policy, however, appears to be inhibiting research and information sharing, and choking off innovation and the broad availability of novel genetic technologies. I hope that the two bills being introduced today will serve to focus attention on these issues. More importantly, I hope that they will ensure that the fantastic advances in medical genetics are fully harnessed for the benefit not just of patent holders, but also of the broader public.

PROCLAMATION RECOGNIZING  
FIRE-FIGHTER GERALD L.  
BAPTISTE—LADDER NO. 9

### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 14, 2002

Mr. OWENS. Mr. Speaker, as a Tribute to Firefighter Gerald L. Baptiste of Ladder Number 9, a member of the Vulcan's Society and one of the fallen heroes of September 11th, I would like to insert the following proclamation into the record:

Whereas, September 11, 2001 was a day of horror and tragedy that will forever live in the memory of Americans, and;

Whereas, more than 3,000 people from many occupations, nationalities, ethnic

groups, religions and creeds were brutally murdered by terrorists, and;

Whereas, members of the New York City Fire Department, New York City Police Department, Port Authority and other Public Safety Personnel, through their valiant, courageous and heroic efforts saved the lives of thousands under unprecedented destructive circumstances, and;

Whereas, more than 300 New York City Firefighters lost their lives in the effort to save others, and

Whereas, Congressman Major R. Owens and the people of the 11th Congressional District salute the bravery and dedication of all who gave their full measure of devotion, and;

Whereas, we deem it appropriate to highlight the courage and valor of individuals and groups in a variety of forms and ceremonies. Now therefore be it

Resolved: That on this 10th Day of March, Two Thousand and Two, Congressman Major R. Owens, and representatives of the people of the 11th Congressional District, pause to salute the sacrifices of these honored men, and to offer their heartfelt condolences to families of these African American Firefighters who died at the World Trade Center on September 11, 2001.

That the text of this resolution shall be placed in the Congressional Record of the United States House of Representatives.

Given by my hand and seal this 10th day of March, Two Thousand and Two in the Year of our Lord.

### TRIBUTE TO GAIL TORREANO

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 14, 2002

Mr. LEVIN. Mr. Speaker, I rise today to reflect on the contributions of SBC Ameritech Michigan and its President Gail Torreano, as they are both honored on March 22nd by the Oak Park Business and Education Alliance for their outstanding work in the community of Oak Park, Michigan. The Oak Park Business and Education Alliance was established in 1993, and is a nonprofit organization of educators, businesses and government entities that provide assistance to the Oak Park School District to improve the individual education experiences of students and prepare them for the modern workforce.

Ms. Torreano's career and other accomplishments demonstrate her strong commitment to community activism. A graduate of Central Michigan University, she has served as Associate Director of the Michigan Special Olympics in Mount Pleasant. Among the many boards she has served on are the Detroit Chamber of Commerce, Detroit Chapter for the NAACP Fight for Freedom Fund dinner for 2002, Michigan Virtual University, and the Economic Club of Detroit.

SBC Ameritech Michigan has been the recipient of numerous honors and awards including the Michigan Deaf Association “Employer of the Year” in 2001 for their contribution to the professional growth and development of its deaf and hard of hearing employees. They also received the highest commendation from the NAACP 2001 Telecommunications Report Card—a program aimed at measuring corporate America's commitment to people of color. In addition, the American Society on Aging and the National Minority Supplier Development Council named SBC “Corporation of the Year” in 2000.

Ms. Torreano's and SBC's commitment and support of the communities where they serve is, indeed, commendable.

Mr. Speaker, I ask my colleagues to join me in honoring the commitment of SBC Ameritech Michigan and its President, Gail Torreano, to the community of Oak Park and the Business and Education Alliance.

### CHINA'S MILITARY EXPANSION

### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 14, 2002

Mr. SCHAFFER. Mr. Speaker, I rise today to discuss an issue of utmost importance to our national security. On Tuesday, March 5th, the Washington Post reported the People's Republic of China has increased its military spending by over 17% for the second consecutive year.

As I have pointed out many times on the House Floor, China's desire is for complete dominance and hegemony in the Asian-Pacific region.

Communist China's attempts to build a nuclear arsenal capable of defeating the United States are undeniable. In that regard, the addition of multiple independently targeted re-entry vehicles is the PRC's most significant threat to the United States. This targeted spending increase is clearly designed to close the nuclear gap that exists between the United States and China.

China's military buildup is especially disconcerting considering its much publicized goal of controlling Taiwan. Mr. Speaker, as you know, China has said it will take back Taiwan by whatever means necessary. Along these lines, Chinese military leaders have openly questioned whether the United States would be willing to sacrifice Los Angeles in our attempts to protect Taipei. We must be prepared to defend ourselves against this type of overt aggression.

Mr. Speaker, this is why I have been so vehement in articulating the need to act decisively to build a ballistic missile defense. The fact that our country remains completely vulnerable to a ballistic missile attack is a reflection of our lack of political will to build an adequate defense. The technology for a ballistic missile defense is available, and has been for years and even decades. It is obvious China will neither lay aside its obsessive quest to build and maintain an offensive nuclear missile program, nor cut its massive military spending. There is only one acceptable response to this threat. We need to fully fund a robust ballistic missile defense program, encompassing a variety of technologies and defenses, and we must accomplish this without delay.

Mr. Speaker, at this point in the Record I submit the text of the March 5th article to which I have been referring. I commend this article to our colleagues and all observers of these proceedings.

[From the Washington Post Foreign Service, Mar. 5, 2002]

### CHINA RAISES DEFENSE BUDGET AGAIN

(By John Pomfret)

BEIJING.—China will announce another 17 percent rise in defense spending this week, completing a one-third increase in acknowledged military expenditures over the last

two years, Chinese and other Asian sources said today.

The increase reflects Beijing's ambition to build a powerful military to complement its robust economy and underpin its strategic position in Asia. But despite more than a decade of big jumps in the defense budget, Asian and Western military officers and Chinese sources said the 2.5-million-member People's Liberation Army, the largest standing fighting force in the world, is struggling with its modernization program, handicapped by low pay, poor morale and difficulty absorbing new weapons.

Finance Minister Xiang Huaicheng will announce an increase of around 17.6 percent in defense spending when he details China's budget on Wednesday during a meeting of the legislature, Chinese sources, Asian diplomats and Chinese-language media reports said. China increased defense spending by 17.7 percent last year; the jump this year will bring its publicly acknowledged defense budget to \$20 billion.

China's real defense spending, including funds expended but not reported, is considered the highest in Asia, considerably more than the \$45 billion spent annually by Japan. By comparison, the Bush administration has proposed a \$379 billion defense budget for the next fiscal year.

Beijing explained its increase last year as a response to "drastic changes" in the military situation around the world, a reference to the U.S.-led war in Kosovo in 1999. This year, sources said, Beijing needs more money to bolster its nuclear forces following the Bush administration's decision to withdraw from the Anti-Ballistic Missile Treaty and continue work on a missile defense system.

China has often voiced concern that, if the United States builds a missile shield, the Chinese nuclear force would lose its strategic deterrent without more and better warheads and delivery vehicles.

China's main modernization efforts, however focus on turning the People's Liberation Army from an army of farmers into a modern, streamlined fighting force and to abandon the People's War doctrine, which involves basic guerrilla tactics in favor of more traditional doctrines used by world powers.

The goal, according to Pentagon reports, is to become a "regional hegemon," project Chinese power into any corner of Asia, protect sea lanes for Chinese oil, replace the United States as the preeminent power in the region and use Chinese power to guarantee reunification with Taiwan.

To do so, China has embarked on a shopping spree for weapons from Russia, Israel and South Africa and a worldwide hunt for technology to improve its nuclear weapons and rocketry programs. China was the world's biggest arms importer in 2000, according to the Stockholm International Peace Research Institute. It will probably be so again in 2001 and 2002, analysts say.

Starting in 1997, China shed 500,000 troops from the army, transferring them to the People's Armed Police, which deals with internal security. It has also launched an ambitious program to enhance training, education and living standards for the men and women currently in uniform.

Chinese analysts consider morale a major problem for the army. One Western military attaché who has had links with the Chinese military since the 1980s described the army as facing a "spiritual crisis."

"It has lost its revolutionary élan," he said. "It is no longer a tough, ragtag force of

creative and motivated guerrilla fighters. It has become rigid, bureaucratized and slow."

Morale problems are reflected regularly in the People's Liberation Army Daily, the army's newspaper, where complaints about bad pay, lack of vacation time and poor training are routine. Last week, the military, responding to years of complaints, promised to increase its rations budget by 20 percent, the newspaper reported.

Once a route out of the countryside for smart young men, the army no longer can attract the talent it needs, Chinese sources said, because other opportunities have arisen with economic reforms. Among the upper levels of society, an army career is almost a joke. Practically no students from Beijing or Qinghua universities, China's most prestigious, consider a career in the military, which pays a colonel less than \$350 a month.

Reform-minded senior Chinese military officers regularly compare the army to a state-owned enterprise burdened by aging, untrainable workers. "What can you do with someone who is 45 and has grown up in the old PLA?" said one Chinese major general. "There are thousands of people like this. Many are officers, and because we can't do anything with them, our younger officers are angry and leaving the service."

A good percentage of training, up to 30 percent in some cases, is taken up with political indoctrination, Chinese sources said. "Political reform is not just necessary for the economy to grow faster," said one former officer who recently left the army because it lacked opportunities. "It's a prerequisite for military modernization, too."

As a result, Chinese soldiering suffers. Western military officers in Beijing said one reason China is so reticent about participating in U.N. peacekeeping is that its units are incapable of operating independently.

In peacekeeping, the basic unit is a platoon, about 10 to 20 troops. "But they cannot function as a platoon," said a Western officer. "Once they are detached from the mother ship, they freeze up. In peacekeeping, if you don't have smart people commanding your small units, the situation can turn catastrophic very fast."

More broadly, the PLA's reputation still has not recovered from the killings around Tianamen Square during the pro-democracy demonstrations of 1989. The PLA's efforts to save people during floods in the summer of 1999 helped for a while. But, simultaneously, many stories arose of local military leaders leading smuggling rings.

Jokes about corruption in the military and its obsession with politics are now routine. When Japanese Self-Defense Forces sank an intruding vessel, believed by Tokyo to be a North Korean spy boat, inside China's 200-mile exclusive economic zone in December, China's navy did not dispatch a ship to monitor the incident. "They must have been busy," the punch line went, "studying the 'Three Represents' [the latest political philosophy of President Jiang Zemin] or smuggling."

China's military acquisitions have been substantial. Recent Russian weapon and equipment sales have included 72 Su-27 fighter-ground attack aircraft; 100 S-300 surface-to-air missiles; 10 II-76 transport aircraft; four Kilo-class submarines and two Sovremenny-class destroyers. China has also signed a contract to assemble at least 200 more Su-27s at the Shenyang Aircraft Corp. in northeastern China.

But an Asian military officer estimated that 60 percent of the Su-27s cannot fly, ei-

ther because they are broken or because the pilots lack the skill to fly them. "Their men are 20 years behind ours in terms of their skill at handling and repairing these sophisticated machines," he said. "This gap in personnel is not easily closed."

China's purchases of the Sovremenny-class destroyers were touted as another sign of Beijing's new ability to project force and challenge U.S. influence in Asia. But attempts to purchase an early warning radar system failed in July 2000 when the United States blocked Israel from selling China an II-76 aircraft equipped with AWACS-style radar, a system Israel calls the Phalcon.

"Without the Phalcon," said a Western attaché, "the Sovremenny is a sitting duck."

Mr. Speaker, while China's military expansion poses a real threat to the United States, we have the technology to build a real missile defense shield, and should be directing the necessary funds to build and deploy such a system without delay.

## PAYING TRIBUTE TO ANN SHEETS

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

March 14, 2002

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I pay tribute today to Ann Sheets, an incredible woman who tragically passed on much too soon. She was loved by each and every person whose life she touched, and will be sorely missed by all who knew and loved her. She was a person of unquestioned integrity and of unparalleled morality, and it is my hope that her life will serve as a model to the many children she so lovingly taught, as she is truly an inspiration to us all. As her family mourns her loss, I believe it is appropriate to remember Ann and pay tribute to her for her warm heart, and her many contributions to her community and her state.

Ann lived her life in a manner befitting the friendship and love bestowed upon her by her colleagues, students, friends and family. She was raised in Steamboat Springs, where she graduated from high school. She went to work at Junction Square, where she continued to work while attending college at Mesa State. Eventually, Ann became a librarian at Chatfield Elementary School, where her love for children and education enabled her to excel, and make her a favorite with everyone involved in the school. She was able to touch the lives of students each and every day by sharing her love of reading. It is no small feat to turn children on to reading, but Ann was able to do it with the same ease and grace that was the hallmark of her life.

Mr. Speaker, we are all terribly saddened by the loss of Ann Sheets, but take comfort in the knowledge that our grief is overshadowed only by the legacy of courage, selflessness and love that she left with all of us. Ann Sheets' life is the very embodiment of all that makes this country great, and I am deeply honored to be able to bring her life to the attention of this body of Congress.