

diseases and complications showing themselves. In fact, many of the people who spent time near the site may not show any problems until several years further down the line. Even the best experts have no clue just how many of these individuals will actually fall ill of long-term complications from the exposure.

Of course we cannot change the past so there is nothing anyone can do about exposure that already took place. All we can do now is make sure that these victims receive the medical treatment they deserve. Bureaucratic red tape and legal challenges have left these second generation victims overwhelmed by deteriorating health as well as a lack of meaningful financial support from a grateful Nation. Many are going bankrupt under the weight of escalating health costs and the loss of income to their homes and families. And what about the families?

Furthermore, there has been no assistance offered to the many non-responders who worked on the scene and the area residents who breathed the tainted air that entered their homes. These people are also victims of the attacks, and require support for health problems that are only now manifesting.

This is why I am compelled to add my name and wholehearted support behind the Maloney-Nadler-Fossella 9/11 Health Compensation Act. This comprehensive bill establishes programs to monitor and treat everyone exposed to the dangerous toxins found at Ground Zero.

Whether you are a police officer or firefighter, construction worker, area resident, government employee or anyone else who spent significant time at the scene, you are entitled to treatment for any disease that doctors find is linked to your work immediately after the attacks.

Some of my colleagues from outside the New York region may wonder why they should support such a bill. They say it does nothing for their own States or districts, so why bother voting for it.

□ 1630

I feel the reasons could not be clearer. The diseases being developed by victims of Ground Zero are horrid. Already well over 100 deaths have been partially attributed to toxins from the site. Not long ago, a 34-year-old detective collapsed and died while playing with his young daughter due to complications from exposure. There are victims requiring double lung transplants because of damage caused from dust and chemicals. Others develop rare cancers.

These people are heroes to the Nation. They went in and helped resuscitate not just a city but an entire country that had been shocked, frozen, traumatized and unsure of how to react. It should be a matter of national honor to help these victims who have rushed in where we all rushed out.

I wholeheartedly support the Maloney-Nadler-Fossella bill as a co-sponsor, and I look forward to joining my colleagues and the AFL-CIO this weekend at the World Trade Center site as we rally in support of fulfilling victims' long-term health care needs.

I thank the gentlewoman from New York for her extraordinary leadership with regards to this matter, and I look forward to pursuing what is right and what is just on behalf of our fellow New Yorkers, fellow Americans and their families.

Mrs. MALONEY of New York. I thank the gentlewoman for her really very eloquent and moving statement, and in closing, we must not forget the firefighters, police officers, EMTs and other first responders who bravely rushed down to the save the lives even as everyone else was running in the other direction, as my colleague so eloquently stated.

We must not forget the rescue, recovery and cleanup workers who stayed on for months at Ground Zero in service to our country.

And we must not forget the residents, area workers and school children who lived, worked and studied through deadly toxins and have now become sick.

Once again, I stand on the floor of Congress to pledge that I will not stop fighting until everyone exposed to the deadly toxins is monitored and everyone who is sick gets the treatment they deserve.

#### GENERAL LEAVE

Mrs. MALONEY of New York. Mr. Speaker, I ask unanimous consent that my colleagues have 5 days to revise and extend their remarks on the subject of my Special Order.

The SPEAKER pro tempore (Mr. YARMUTH). Is there objection to the request of the gentlewoman from New York?

There was no objection.

#### PATENT REFORM ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, tomorrow is a critical day for America. Tomorrow, the House will consider legislation that will dramatically diminish a constitutionally protected right that has served this Nation well. We are talking about fundamentally altering the laws governing the ownership of technology in our country. America's patent system is on the line.

In short, if H.R. 1908, the bill in question, passes, there will be a tremendous negative, long-term consequence not just for America's inventors but for our country as a whole.

It is American technology that has made all the difference in our country's security and our people's way of life.

Those patriots who laid the foundation for our country wrote into the Constitution a provision they firmly believed as a prerequisite to progress and freedom.

Article I, section 8 of the Constitution states in part that, quote, Congress shall have the power to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries, end of quote.

Our Founding Fathers obviously held the right of owning one's ideas, creations and inventions as equal to the rights of speech, religion and assembly. In fact, in the body of the Constitution, the word "right" is only used in reference to patents and copyrights. The Bill of Rights was added later.

In short, we have had since our country's founding 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. It has been no accident that Americans have been the world's great inventors, scientists, and technologists. Black Americans, in particular, have excelled in the creation of new technologies. This was no accident. It was a result of the protections that we put into our law to secure for all people the right of ownership for their inventions and their creations.

Americans were the inventors of technology that produced more wealth, with less labor, and thus elevated the standard of living of all people which, in turn, opened the doors of opportunity for all people.

Let us understand that it was not raw muscle, nor was it the hard work of our people that built this country. There are people who work hard all over the world. They work hard and they use their muscles and they struggle; yet, they live in abject poverty. So it's not just the use of one's physical strength that will change the world and make it a better place. It was not our vast territory and our natural resources that gave us a standard of living of which we are so proud. No, it was not these things. It was our ingenuity, our intelligence and, yes, the legal system that was established to protect ingenuity and creativity that brought us the joys of freedom and the benefits of freedom.

We treated intellectual property rights, the creation of new technologies, as we treated property, personal and other political rights, and that is what America has been all about. Every person's rights were to be respected and protected; and as I have just demonstrated, the idea of the right to own one's creation was fundamental to this concept of the American Dream that was laid in the constitutional foundation of our country by our Founding Fathers.

Today, we face a great historic challenge, and this challenge comes exactly at the time when our country faces economic threats from abroad as never

before. We must prevail over our economic competitors who are at war with the well-being of the American people. We must win or our country and our people will lose. If we lose this battle, our people will suffer. It is as simple as that.

Future generations could well see their standard of living decline, and there is evidence of that already. We can see their standard of living decline, and they may well see the safety and the strength of our country compromised, to which the security of their families will be in jeopardy, which all leads us to the legislation that we will consider tomorrow.

Let's be clear and specific. The legislation in question, H.R. 1908, will dramatically weaken the patent rights of ordinary Americans and make us even more vulnerable to outright theft of American-created technology and innovative ideas. This legislation represents a slow-motion destruction of our patent system.

And, yes, there are some real problems that need to be solved with our patent system. We need patent legislation that speeds up the examination process and the issuance process and makes it more accurate. We need patent legislation that provides training and compensation for our patent examiners. Patent examiners are overworked; they're undertrained. They need to have higher pay to make sure we keep the good patent examiners on the job.

We need patent legislation that helps us protect our inventors against theft, especially from foreign theft. We need legislation aimed at fixing these problems, and it would be justified and it would be welcome, but the legislation on the floor tomorrow does not fix the system. It simply weakens the protection of American inventors using these festering problems as a cover.

Some people might even suggest that the reason that these problems with our patent system have been permitted to fester was so that people could use them as an excuse to undermine the very basis of the patent system itself. Unfortunately, what we are witnessing is a replay of the strategy used in the illegal immigration debate of just a few months ago.

The American people have been crying out for protection against a huge invasion of illegal immigrants into our country, one that is affecting their standard of living, their safety as a people, and their economic well-being. Special interests who benefited by this flood of illegals tried to push through a bill that would have made the situation worse. That's right, a bill in the name of stopping the illegal immigration flood that would have actually made it worse.

To confuse the public, they kept calling it a comprehensive bill, as if it was designed to fix the problem. Instead, the purpose of that comprehensive bill, as we all are aware, was to give amnesty to all those who are in our coun-

try illegally, and that of course, would have attracted tens of millions of more illegals. It would have made a bad situation worse, and its only intent was amnesty. Yet, with a straight face, they kept using the phrase comprehensive reform, implying there was a fix.

Well, that same strategy seems to be used by those behind this effort to undermine or destroy America's patent system as it has worked since the founding of our country over 200 years ago. Instead of arguing their case that we need to move away from the patent protection-type situation, they are simply calling their legislation a comprehensive bill. Instead of attacking the small inventor, instead of saying we're going to have a bill that actually restricts the rights of our citizens in this area because we believe that the small inventors are abusing the system, instead, they're calling it a comprehensive bill to make it sound like they are fixing some problems within the system.

This bill, let's remember, H.R. 1908, is not new. This is very similar to legislation that we barely beat back 10 years ago. I called that the Steal American Technologies Act; and guess what, we beat them but they're back.

So this could be called, and it would be accurate to call H.R. 1908, the Steal American Technology Act Part 2. By the way, those of us who mobilized opposition to the 1997 patent legislation negotiated a compromise that passed in 1999 and then became law in the year 2000. This legislation on the floor tomorrow represents a negation of all the compromises that we worked out in 1999.

So those of us, Mr. MANZULLO who will be with us in a moment, MARCY KAPTUR and myself and others who insisted on certain things for that patent bill in 1999 and were given compromises in that legislation, we now face a bill that negates all of those compromises. I don't know if that's meaningful to those people who are examining this process, but it suggests the level of the attack on our patent system that we are experiencing.

Even at this late moment, we are not certain what will be exactly in that bill because, at this moment, as we speak, there are changes being made in that bill that we are being told about, and we don't know exactly what those changes will be until tomorrow when it hits the floor because deals are being made as we speak.

So first and foremost, no matter what the details, because we probably won't have a chance to look at all the details, let it be noted that H.R. 1908, which will be on the floor tomorrow, was specifically designed to weaken the patent protection of the American inventor. This was the purpose of the bill.

We supported and will support any real reforms of the patent system, but those proposed in H.R. 1908 will cause the collapse of the patent system that has sustained America's wealth, our

prosperity and, yes, our national security for over 200 years.

The negative impact of the totality of this bill is reflected in the wide spectrum who are in opposition who have mobilized against it.

For the record, I would submit, Mr. Speaker, the list of those companies and those organizations and those individuals, prominent individuals and companies and universities who are now fervently opposed to H.R. 1908 and begging us not to pass this legislation, and I would place it in the RECORD at this point.

#### ORGANIZATIONS AND COMPANIES WHICH HAVE RAISED OBJECTIONS TO PATENT LEGISLATION (H.R. 1908)

Organizations and Companies Raising Objections to H.R. 1908, the Patent Reform Act of 2007: 3M, Abbott, Accelerated Technologies, Inc., Acorn Cardiovascular Inc., Adams Capital Management, Adroit Medical Systems, Inc., AdvaMed, Advanced Diamond Technologies, Inc., Advanced Medical Optics, Inc., Advanced Neuromodulation Systems, Inc., Aero-Marine Company, AFL-CIO, African American Republican Leadership Council.

Air Liquide, Air Products, ALD NanoSolutions, Inc., ALIO Industries, Allergan, Inc., Almyra, Inc., AmberWave Systems Corporation, American Conservative Union, American Intellectual Property Law Association (AIPLA), American Seed Trade, Americans for Sovereignty.

Americans for the Preservation of Liberty, Amylin Pharmaceuticals, AngioDynamics, Inc., Applied Medical, Applied Nanotech, Inc., Argentis Pharmaceuticals, LLC, Arizona BioIndustry Association, ARYx Therapeutics, Ascenta Therapeutics, Inc., Association of University Technology Managers (AUTM).

Asthmatx, Inc., AstraZeneca, Aware, Inc., Baxa Corporation, Baxter Healthcare Corporation, BayBio, Beckman Coulter, BIO—Biotechnology Industry Organization, BioCardia, Inc., BIOCROM, Biogen Idec, Biomedical Association, BioOhio, Bioscience Institute, Biotechnology Council of New Jersey.

Blacks for Economic Security Trust Fund, BlazeTech Corporation, Boston Scientific, Bridgestone Americas Holding, Inc., Bristol-Myers Squibb, BuzzLogic, California Healthcare Institute, California Healthcare Institute (The), Canopy Ventures, Carbide Derivative Technologies, Cardiac Concepts, Inc., CardioDynamics, Cargill, Inc., Cassie-Shipherd Group, Caterpillar, Celgene Corporation, Cell Genesys, Inc., Center 7, Inc., Center for Small Business and the Environment, Centre for Security Policy, Cephalon, CheckFree, Christian Coalition of America.

Cincinnati Sub-Zero Products, Coalition for 21st Century Patent Reform, Coalitions for America, CogniTek Management Systems, Inc., Colorado Bioscience Association, Conceptus, Inc., CONNECT, Connecticut United for Research Excellence, Cornell University, Corning, Coronis Medical Ventures, Council for America, CropLife America, Cryptography Research, Cummins Inc., Cummins-Allison Corporation.

CVRx Inc., Dais Analytic Corporation, Dartmouth Regional Technology Center, Inc., Declaration Alliance, Deltanoid Pharmaceuticals, Digimarc Corporation, DirectPointe, Dow Chemical Company, Dupont, Dura-Line Corporation, Dynatronics Co., Eagle Forum, Eastman Chemical Company, Economic Development Center, Edwards Lifesciences, Elan Pharmaceuticals, Inc., Electronics for Imaging, Eli Lilly and

Company, Ellman Innovations LLC, Enterprise Partners Venture Capital, Evalve, Inc., Exxon Mobile Corporation, Fallbrook Technologies Inc., FarSounder, Inc. Footnote.com.

Gambro BCT, General Electric, Genomic Health, Inc., Gen-Probe Incorporated, Genzyme, Georgia Biomedical Partnership, Glacier Cross, Inc., GlaxoSmithKline, Glenview State Bank, Hawaii Science & Technology Council, HealthCare Institute of New Jersey, HeartWare, Inc., Helius, Inc., Henkel Corporation, Hoffman-LaRoche, Inc.

iBIO, Imago Scientific Instruments, Impulse Dynamics (USA), Inc., Indiana Health Industry Forum, Indiana University, Innovation Alliance, Institute of Electrical and Electronics Engineers (IEEE)—USA, InterDigital Communications Corporation, Inter-molecular, Inc., International Association of Professional and Technical Engineers (IAPTE), Invitrogen Corporation, Iowa Biotechnology Association, ISTA Pharmaceuticals, Jazz Pharmaceuticals, Inc., Johnson & Johnson, KansasBio, Leadership Institute, Let Freedom Ring, Life Science Alley, LITMUS, LLC.

LSI Corporation, Lux Capital Management, Luxul Corporation, Maryland Taxpayers' Association.

Masimo Corporation, Massachusetts Biotechnology Council, Massachusetts Medical Device Industry Council (MassMEDIC), Maxygen Inc., MDMA—Medical Device Manufacturer's Association, Medical College of Wisconsin, MedImmune, Inc., Medtronic, Merck, Metabasis Therapeutics, Inc., Metabolex, Inc., Metacore (USA), Inc., MGI Pharma Inc., MichBio, Michigan Small Tech Association, Michigan State University, Millennium Pharmaceuticals, Inc., Milliken & Company, Mohr, Davidow Ventures, Monsanto Company.

NAM—National Association of Manufacturers, NanoBioMagnetics, Inc. (NBMI), NanoBusiness Alliance, NanoInk, Inc., NanoIntegris, Inc., Nanomix, Inc., Nanophase Technologies, NanoProducts Corporation, Nanosys, Inc., Nantero, Inc., National Center for Public Policy Research, Nektar Therapeutics, Neoconix, Inc., Neuro Resource Group (NRG), NeuroNetics, Inc., NeuroPace, New England Innovation Alliance, New Hampshire Biotechnology Council, New Hampshire Department of Economic Development, New Mexico Biotechnical and Biomedical Association, New York Biotechnology Association.

Norseman Group, North Carolina Biosciences Organization, North Carolina State University, North Dakota State University, Northrop Grumman Corporation, Northwestern University, Novartis, Novartis Corporation, Novasys Medical Inc., NovoNordisk, NUCRYST Pharmaceuticals, Inc. NuVasive, Inc., Nuvelo, Inc., Ohio State University, OpenCEL, LLC.

Palmetto Biotechnology Alliance, Patent Café.com, Inc., Patent Office Professional Association, Pennsylvania Bio, Pennsylvania State University, PepsiCo, Inc., Pfizer, PhRMA—Pharmaceutical Research and Manufacturers of America, Physical Sciences Inc., PointeCast Corporation, Power Innovations International, PowerMetal Technologies, Inc., Preformed Line Products, Procter & Gamble, Professional Inventors' Alliance, ProRhythm, Inc., Purdue University, Pure Plushy Inc., QUALCOMM Inc.

QuantumSphere, Inc., QuesTek Innovations LLC, Radiant Medical, Inc., Rensselaer Polytechnic Institute, Research Triangle Park, NC, Retractable Technologies, Inc., RightMarch.com, S & C Electric Company, Salix Pharmaceuticals, Inc., SanDisk Corporation, Sangamo Biosciences, Inc., Semprius, Inc., Small Business Association of Michigan—Economic Development Center,

Small Business Exporters Association of the United States.

Small Business Technology Council, Smart Bomb Interactive, Smile Reminder, SmoothShapes, Inc., Solera Networks, South Dakota Biotech Association, Southern California Biomedical Council, Spiration, Inc., Standup Bed Company, State of New Hampshire Department of Resources and Economic Development, Stella Group, Ltd., StemCells, SurgiQuest, Inc.

Symyx Technologies, Inc., Tech Council of Maryland/MdBio, Technology Patents & Licensing, Tennessee Biotechnology Association, Tessera, Inc., Texas A&M, Texas Healthcare, Texas Instruments, Three Arch Partners.

United Technologies, University of California System, University of Illinois, University of Iowa, University of Maryland, University of Michigan, University of Minnesota, University of New Hampshire, University of North Carolina System, University of Rochester, University of Utah, University of Wisconsin-Madison, US Business and Industry Council, US Council for International Business.

USGI Medical, USW—United Steelworkers, Vanderbilt University and Medical Center, Virent Energy Systems, Inc., Virginia Biotechnology Association, Visidyne, Inc., VisionCare Ophthalmologic Technologies, Inc., Washington Biotechnology & Biomedical Association, Washington University, WaveRx, Inc.

Wayne State University, Wescor, Inc., Weyerhaeuser, Wilson Sonsini Goodrich & Rosati, Wisconsin Alumni Research Foundation (WARF), Wisconsin Biotechnology and Medical Device Association, Wyeth.

□ 1645

I would submit for the RECORD a letter dated September 5, 2007, from the Communication Workers of America, who are coming out against and are very, very specific in their opposition to H.R. 1908, and there is a rumor going around right now that the unions have now decided not to be opposed to H.R. 1908, but, instead, are neutral on the issue of H.R. 1908.

#### COMMUNICATIONS WORKERS OF AMERICA,

Washington, DC, September 5, 2007.

Hon. PATRICK LEAHY, *Chairman*,  
Hon. ARLEN SPECTER,  
*Ranking Member, Senate Judiciary Committee*,  
Hon. JOHN CONYERS, *Chairman*,  
Hon. LAMAR SMITH,  
*Ranking Member, House Judiciary Committee*,  
Washington, DC.

DEAR CHAIRMAN LEAHY, RANKING MEMBER SPECTER, CHAIRMAN CONYERS, AND RANKING MEMBER SMITH: We are writing you to express our concerns regarding the current U.S. patent system and the potential negative impact of H.R. 1908 and S. 1145 on this system.

The American economy relies on the ingenuity and imagination of inventors who help drive our economy and job creation. Without a fair patent system that rewards inventors, both job creation and ingenuity will suffer. Our union members work in the technology and manufacturing sectors, both of which will be affected by these pieces of legislation. We want to see a system that solidifies our leadership in innovation and helps the American economy produce the jobs and products of the future.

The National Academies of Sciences (NAS) have suggested a set of improvements for the patent system. However, the Patent Reform Act of 2007, while offering some needed changes, does not reflect the body of im-

provements suggested by NAS. We are concerned that two sections of the proposed legislation, the post-patent review process and apportionment of damages, will have a negative impact on innovation and research.

The courts already follow a multipoint system for the appropriate consideration for damages. This should remain intact rather than constricted so as to limit damage settlements. The post-patent review process adds a third step to the two existing review processes available. This third one opens the process to serial patent challenges. For some, this can become a business strategy of continual reviews designed to elicit settlement. For the firms facing challenges, they can decide it is easier to outsource their products to a vendor rather than deal with the legal process. In a system that is already overwhelmed meeting the review needs of current patent filings, this is an unnecessary step.

At a time when the rampant piracy of intellectual property by our global competitors is being continuously challenged, Congress should not give these competitors yet another advantage over American workers. We hope to work with you in your effort to improve the current patent system without disadvantaging American workers and stifling American innovation. We appreciate your leadership on this issue and we look forward to hearing your thoughts.

Sincerely,

JEFF RECHENBACH,  
*Executive Vice President.*

Let me note that only one union has changed its position and become neutral on 1908, but, instead, all the other unions, the wide swath of unions in this country, are just heavily opposed to H.R. 1908. So why are all these people, unions, universities, the biotech industry, pharmaceuticals, and, of course, especially small business, why are these people so opposed to this bill, H.R. 1908, which I call the Steal America's Technology Act No. 2.

Number one, let's look at some of the requirements of the bill. What will it do? Number one, it will require that all patent applications be published 18 months after the application is filed.

By the way, we negotiated this. We are joined right now by Mr. MANZULLO, who is beside us. Mr. MANZULLO and I fought hard in 1999 to ensure that the average right of the American inventor, to keep confidential his patent applications until that patent was issued, would be maintained.

In that legislation, they said, if an American inventor does not want to have his patent published for the whole world to see, his patent application, even before the patent is issued, he can opt out of a requirement that would require him to have his patent application disclosed.

This opting-out feature was a compromise. Now, those who negotiated with us, and long hard negotiations, have negated their compromise. That's the type of integrity that we are up against here, negating someone after you have actually made honest compromises? How can we trust what's in this bill if that is the basis of the organization of the structure of the bill?

H.R. 1908 removes the opt-out provision that was put into the law by our negotiations back in 1999. Now, let's

note that last year 20,000 inventors, three-quarters of all the small businesses who applied for patents, chose to keep their inventions secret and to opt out of the provision that once you apply for a patent, that after 18 months, whether or not you have the patent, it will be put on the Internet for every thief in the world to see. No wonder why these 20,000 inventors decided to opt out of that.

The thieves and infringers overseas are licking their chops, waiting to pounce on their new ability to get the details about American technology. Just look at this quote that Mr. MANZULLO showed me from the *Economic Times* of India, dated July 23, 2007. "A crucial bill making its way through the U.S. Congress is set to give a new inexpensive option for Indian drug makers to attack the patents that give monopoly rights to the top-selling MNC [multinational corporations] brands in the largest pharmaceutical market."

What that means is the Indian people who are involved with stealing our technology and copying it, especially those technologies in the pharmaceutical area, are getting ready for the changes that will be brought about by this legislation so that by the time our pharmaceutical companies are ready to go on the market with their goods, the Indian copiers will have already stolen the product of all of their research and development and turned it in to the market in India and elsewhere.

This is horrendous. This is right up front, they are telling us. We are getting ready to steal hundreds of millions of dollars, if not billions of dollars, worth of information that was based on the research, the investment that we made in research in the United States of America, to benefit their companies.

Well, it has been estimated that the U.S. economy loses \$250 billion a year at this time from global intellectual property theft. If this bill passes, that number will triple or quadruple as a result of the passage of this legislation.

Number 2, this bill opens up new avenues of attack before and after a patent has been issued. New attacks are now available in the pre-grant to the opposition, to someone who would like to try to make it more difficult for an inventor to get his patent in the first place and to hold up the issuance of his patent. Section 9, part B of H.R. 1908 says any person may submit for consideration an inclusion in the record of a patent application any patent, published patent application or other publication of potential relevance to the examination of the application.

This means we are opening up the process so people can argue against the issuance of the patent, where before that was kept very confidential, and confidential for a purpose. Because if you have people arguing at that level, what happens is the patent is delayed. What do they want to do if it's delayed? They want to publish it for the whole world to see.

Pre-grant opposition allows for outside folks like China or other countries

who may have people they have hired here, people, I might add even domestic corporate scavengers, to look at applications and then dig up damaging concepts and, perhaps, ideas that would cloud the issues at hand and submit it to the patent examiners in order to defeat or to delay an application. Not only the examiner, but the whole world will be looking at these applications if those who wrote H.R. 1908 have their way. So China can steal our technology and defeat our patent applicants even before they get their patents.

Another thing this bill does, of course, is afterwards it gives a post-grant review, a new system to post-grant review, to challengers to prove that the patent is not valid, and it changes the standards of validity and how that validity is to be determined.

The standard is being changed from a preponderance of evidence, and this will be replaced, and that a preponderance of evidence will replace the current clear and convincing evidence, which is the current standard.

Now, why are they changing these standards? They are not changing the standards to make it more difficult for people to challenge someone who owns a piece of technology, to make it easier for our inventors to defend themselves. It makes it more difficult for our defenders, for our inventors to defend themselves.

Why are they changing that criteria? It's not aimed at helping the inventors, the innovators. It's aimed at helping the scavengers.

Number 3, and in one moment I am going to ask Mr. MANZULLO to join me, H.R. 1908 constricts the options available to rightful patent owners. So there are restrictions on what the actual patent owners, the people who have been issued the patents can do, especially in the area of which courts will be deciding their issues; limits on, as I say, limits on court venue, where either party resides, and where the Defendant has committed an alleged act of infringement, has established this, of course, will place incredible new challenges for our inventors. These are, again, aimed at trying to put restrictions on the inventors and give leverage to those who would steal that technology.

It requires the court to break down the value of individual components of a product and calculate the damages based on the value. That's not the way right now it works. If someone infringes on someone's patent, that person who owns that property who has been wronged can sue that company.

But it's not just based on how much that one component is worth. It is how much that person who owns that technology would have charged that company if it had been an honest contract and an honest negotiation.

Again, what we are doing is restricting and making it more difficult for the inventor to protect his interest.

In the end, this change alone will mean that the large corporations will

be able to steal from the little guy and the foreign corporations will be able to steal from the other guy and just say, well, come at me. It's going to cost you more money to actually attack us in court and to fight us in court than you will be able to get out of it if you attack us in court.

That change alone is going to undermine the rights of the inventors to control their inventions and creativity. That's the purpose of the bill.

Patents would be awarded, again, and this is one of the more dramatic changes. In our country's history, we have always had a system that patents were awarded not to those who would have been the first to file for a patent, but, instead, to those who actually invented and could prove that they had invented a piece of technology. That has worked well for our country, and it is different in other countries.

Japan and Europe have had different systems. This system is aimed at helping the big business rather than the small inventor, because big business can issue, can apply and pay for patent after patent application after patent application. Make one little step forward, and then you apply for a patent based on that step forward, rather than on a completed invention or a completed project.

That change is fundamental to our system. We have always been recognizing the person who has invented the technology, not the company who can pay the lawyer to arrive at the patent office first.

Well, number seven, and, finally, this bill creates a new proceeding to determine the inventor with the right to file an application on a claimed invention. The patent trial and appeal board would be established in this case, which, again, would so complicate this system. This is a whole new addition that will so complicate this process. It is not aimed at simplifying and making our system more effective. It's aimed at undermining the validity of this system.

This change would flood the patent system, making it more expensive to get a patent. In short, every promise in H.R. 1908 is anti-inventor. Every single one of the provisions of 1908 that have been added are aimed there to undercut the inventor. Every provision weakens the rights of the inventor and undermines his ability to protect his or her rights as the inventor.

This bill will only double or triple the losses that we have in terms of intellectual property theft overseas. Our own technology will be taken away from us, will be stolen, and it will be used to destroy us, as foreigners will have all the information they need about our advances, about our research, and then they will put that information to work to destroy us, to out-compete us, to put us out of business.

H.R. 1908 would open up the doors for attack both before and after a patent is issued. So before a patent is issued, the

inventory will have to go through more hoops, and after the patent is issued, the inventor will go through more hoops.

What we have got here is a piece of legislation that will go against the whole purpose that our law was established and the Founding Fathers put into the Constitution so many years ago, that inventors and writers and other creators, that their rights will be protected.

I now would like to ask Mr. MANZULLO if he would like to join me and share with us a few of his thoughts. Let me note that in 1997, Mr. MANZULLO and MARCY KAPTUR and myself and JOHN CAMPBELL of California, there were just a few of us, fought a battle. We were up against the most powerful forces in the world, these multinational corporations who were trying to sneak this through, and we were able to defeat them with the mobilization of the public behind us.

This time, at least, we do have the major universities with us. This time we have the biotech industry and the pharmaceutical industry and the labor unions behind us. But we need to make sure that the American people understand what's going on here tomorrow and the vote and the significance of that vote tomorrow.

I yield to the gentleman from Illinois.

□ 1700

Mr. MANZULLO. May I ask how much time is remaining?

The SPEAKER pro tempore (Mr. ELLISON). Thirty-two minutes.

Mr. MANZULLO. Mr. Speaker, I rise today in opposition of H.R. 1908. Mr. MICHAUD and I just came from the Rules Committee a few minutes ago, which is in the process of preparing the rule under which the bill would be brought to the floor tomorrow. And we showed up at the hearing, which was set for 3:00, found out that an 18-page manager's amendment had been filed at 2:47, and during the course of our testimony before the Rules Committee, another manager's amendment consisting of 18 pages was filed at 3:50 p.m. So the Rules Committee was taking a look at still further amendments to a bill, not even knowing what the final form of the bill would be at the time we were there to testify either in favor of it or against it.

Anytime you have a bill that presents a fundamental change in law, it should be a consensus bill; and there's a reason for that.

Why hurt anybody on something so basic and so important as a patent bill?

Why can't you protect the holders of patents, both large and small, the universities that have a stake in it, the labor unions whose people are employed by manufacturers who hold patents? Everybody really has the same stake here, and the stake is to have the United States be pre-eminent in research and engineering and to use the patent system as a means to further re-

search and development and manufacturing in this country.

But this bill that's being presented has a very interesting split of people in favor and people against, and that's what's disconcerting about the entire bill.

In fact, the last patent bill that was passed and signed into law never even made its way to the Senate. We passed it here in the House, and it was tacked on to an omnibus appropriations bill. The Senate never even read it or considered it. It got tucked into a massive multi-, hundred-page bill. It's a good thing that we had come up with a good bill by the time it passed here.

And now we are hearing proponents of this bill say, just a second, we didn't use the subcommittee process to refine it, and we didn't use the committee process to refine it. This is a work in action that we continue to work on it as we go. And that's how we end up with bad law, when Members of Congress do not really have the opportunity to examine and to know what they're voting on.

And I don't know anything as complicated as patent law. I've been here several terms; so has Mr. ROHRABACHER. I look at patent laws through the eyes of a piece of machinery. I've spent my life in Congress involved in manufacturing. I have one of the most industrialized congressional districts in the country. One out of four people is directly employed in manufacturing.

And I spend time on the floors, I've visited hundreds of factories in the United States, Europe, China, given speeches all over. I go to forums that deal with manufacturing processes and try to keep up on the latest in manufacturing so I can share those, not only with my constituents, but with my colleagues who are in Congress, on a bipartisan basis. In fact, we formed the Manufacturing Caucus for the purpose of making sure that the latest in manufacturing techniques is shared with Members so as to strengthen our manufacturing base to make us more competitive in this world.

But this bill's opposed by the National Association of Manufacturers. Those are large and small manufacturers, the little guys and the big guys. And the reason they're concerned is that the manufacturers are the ones that make things, make things with their hands. They make the exotic machines, and they're very much concerned about international piracy already going on and the fact that this will actually, this bill will actually lend itself to that.

And I met this morning with people from the pharmaceutical industry, the biotech industry, the food industry, people concerned that processes involved in food preparations would be protected. And it was the most incredible group of people that I've ever seen come together on an issue in opposition.

And one of the reasons that they're so opposed, and I'm just going to speak

on one of those, it's on the damage issue, because there are so many other issues that are extremely important.

We just found out that the administration now opposes H.R. 1908 because, again, it limits the courts' discretion in determining the damages for infringement. Now, that's the damage issue. And I'm glad they came out with that, and that's important. And let's explain why.

H.R. 1908 will reduce the value of U.S. patents because patent holders will no longer be able to receive the fair market value of their patent when infringed upon. It mandates this apportionment of damages be the pre-eminent factor and exclusion of all the other market factors considered in infringement cases.

Current law, the law that's used today, states that juries should consider 15 factors, many of which are based on market forces and competitive pricing which allow the patent holder to receive the market value of the invention that was infringed upon. And that's always been the standard of damages. What is the value?

They'll take a look at its incorporation into the device. What value does it add to it? What price would the holder of the completed product have paid for this?

It has been established over a period of years of long series of judicial decisions, and it's not the legislature abandoning our role in this issue, but it's allowing the courts' working their way through technology changes to say these are the factors that we should take a look at.

The change of law requires a judge to determine the economic value of the invention by subtracting the value of prior art. That means subtracting the value of other existing components in the invention. And this complex economic analysis is not something we want to leave the district court judges. Even Judge Michael, chief judge of the U.S. Court of Appeals for the Federal Circuit, agrees.

But what's dangerous about this provision is that the bill allows a new set of damages, a new standard when it's never been tested. It's nothing more than a theory.

Mr. ROHRABACHER. I would ask the gentleman, isn't it very clear when you're looking at that change, and there are about, as I was going through, six or seven changes, what was the purpose? What was in the mind of those people who wrote this into law and pushed for this change to be made?

Mr. MANZULLO. The purpose was to diminish the value of the patent holder whose patent had been infringed upon. That's the problem.

Mr. ROHRABACHER. There it is. The bottom line is, you go through this bill and there are about 20 different provisions like the damage provision that you're talking about, and each and every one of them is designed to weaken the protection and hurt the person who's the innovator.

And what has been our greatest asset in the United States of America? Is that we protected those innovators.

If the gentleman would yield for one moment, we do have a gentleman with us from Maine who would like to say a few words, and I would yield whatever time you would consume to Congressman MICHAUD from Maine.

Mr. MICHAUD. Thank you very much, Congressman ROHRBACHER. I really appreciate both yours and Congressman MANZULLO's leadership on this patent issue. It's definitely an issue that's very important.

Tomorrow, the House is expected to consider the Patent Reform Act of 2007. I strongly oppose this bill. It's fundamentally flawed.

There are nearly 300 large, small businesses, associations, universities, and labor unions from a wide diversity of industry and perspectives that have raised serious concerns about this legislation.

H.R. 1908, the Patent Reform Act of 2007, as you heard earlier, has been described as, I quote from one of the quotes, "the most sweeping changes in America's patent system since 1952."

Yet, the House Judiciary Committee reported H.R. 1908 to the floor of the House after holding only one public hearing this Congress and despite bipartisan and widespread cross-industry opposition.

At a time when America's innovators, manufacturers, and laborers need strong patent protection to compete internationally, the net effect of this bill will be to weaken patent protection by making patents less reliable, easier to challenge and cheaper to infringe.

H.R. 1908 is a severe threat to American innovation, American jobs and American competitiveness, and ought to be opposed.

Hundreds of companies and organizations around the United States have written to Congress to raise serious objections about this legislation. And you heard some of them earlier: manufacturers, organized labor, biotech, nanotech, pharmaceuticals, small businesses, independent inventors, universities, economic development organizations, and the list goes on.

Foreign companies are watching this legislation, and the reason why they are watching and eagerly looking at this legislation is they want to attack U.S. patents, as evidenced by the recent article in the Economic Times, India's second largest newspaper.

We are compromising many of our industries by passing this legislation. Many stakeholders of the United States patent system have complained about the process surrounding the Patent Reform Act.

Only one hearing has occurred on this bill in this Congress. Tomorrow we are prepared to vote on this bill without ample time to review the two manager's amendments designed to address some of the complaints that have been raised about this. And this actually is

violating the pledge made at the beginning of this Congress to allow Members ample time to review legislation.

Patent legislation is very complicated. It's very technical, and we need that ample time to review it. So at this point in time I would urge my colleagues to defeat the bill tomorrow and send it back to the Judiciary Committee, because we do have to make some changes in patent reform. I'm not ultimately opposed to it. We have to make changes. But this legislation is not the way to go.

So with that, I want to thank the good gentleman for yielding time to me and, hopefully, we'll be able to get the problems corrected with this patent reform law.

Mr. ROHRBACHER. I appreciate the support of the gentleman from Maine for this position. It lets us know that this is as bipartisan an issue as any one that I have ever been on. From day one it was MARCY KAPTUR and others who have played a major role in this fight.

We have unions who are traditionally supporting the Democratic Party who are very deeply involved in this fight, right alongside small businesses, which quite generally have been Republicans. So this goes across the board. This is an issue, because it is the American people who are going to suffer the consequences.

We need to ask ourselves, if all of these groups are against it, who the heck is for this bill?

And this is a power grab. This is a classic power grab, and it's being headed by companies that are basically controlled by billionaires from the electronics industry.

Now, let's take a look at the electronics industry. What do they want to do?

The electronics industry has a product that they have to include various elements that are created by innovators and by inventors. This isn't like the pharmaceutical industry or a small business person or the biotech industry or the nanotech industry. Usually, what we've got with those industries, we've got one new invention or one creative improvement that serves as the basis for their profit.

No, when you're in the electronics industry you have a computer or some other type of piece of electronics that has three or four elements in it, and if an inventor comes up with something new, they either have to include it in their product, or they will be non-competitive.

□ 1715

Mr. MANZULLO. Will the gentleman yield?

Mr. ROHRBACHER. I certainly will.

Mr. MANZULLO. Which means that you manufacture, then you worry about the legals. You manufacture and sell; then you worry about the legals, whether or not you have infringed upon somebody's patent.

And what this bill will do is this will encourage infringing because it greatly limits the damages to which the inventor would be entitled.

Mr. ROHRBACHER. Right. So what we have got is the electronics industry knows that if there are new ideas that improve things, they will have to include it in their product in order to remain competitive. They just don't want to buy those new ideas. They don't want to pay for it. They want to be able to steal those ideas and minimize the consequences of that theft. That's the ultimate purpose for what is going on here.

The electronics industry is different than these other industries. And as you can see by the wide scope and breadth of the opposition to this bill, the other industries know that this will be dramatically harmful to them. But it will permit the electronic industry billionaires to increase their profit.

And, by the way, what does the electronics industry do now? They are the ones who, of course, go to China and build their factories in China and increase the technology capabilities of that country, which is, of course, run by a regime that is the world's worst human rights abuser. These are electronics companies, some of which have gone to the dictatorship in China and helped them sort of restructure their computer systems so they can track down religious dissidents who are trying to use the Internet. This is the type of people who are behind this bill.

This power grab of the electronics industry would send even more technology to China and India. It would permit the people in Korea and Japan and others to be able to basically beat our inventors into the ground. And it has been our creative genius that has protected our country against these types of regimes in the past.

In fact, as Americans, we don't match people man for man. We don't match our competition with muscle power and sweat. We can beat the competition in this modern world by making sure our people have a technological edge over their competitors. The working people in those other countries may work for a pittance, but American workers should have the competitive edge.

People in the electronic industry who are behind this bill don't care one iota about those American workers or America's long-term competitiveness because they consider themselves multinational corporations.

Well, I am here to say that the coalition of Democrats and Republicans on the floor of the House opposing this bill do not consider ourselves nationalists or globalists. We consider ourselves patriotic Americans, and we have got to watch out for the interests of the American people.

Mr. MANZULLO. Will the gentleman yield?

Mr. ROHRBACHER. Yes, I will.

Mr. MANZULLO. I appreciate that. We were with a company called

QUALCOMM today, 11,000 employees. They are opposed to the bill. It's just an interesting mix. And it appears that a lot of the people in favor of the bill have been some of the biggest infringers, and that is why some have called this the "Infringers' Bill of Rights." I don't know if I would go that far.

Mr. ROHRABACHER. I think that's a good description.

Mr. MANZULLO. But I would like to just bring up one thing. The proponents of the bill are saying this is tort reform. And how could this be tort reform when the National Association of Manufacturers are on the other side, oppose it? It is not really tort reform. It is an all-out assault upon awarding reasonable damages to the inventor. That is done in two ways. One is through extreme limitation of damages, and the second is finding a way to lengthen the process of litigation.

Now, another portion of this bill says, well, you shouldn't be able to shop for venue. And in America it has always been the tradition that you can bring a suit in any area, any county, any State where damage has occurred, and with a widely distributed product, you should be able to bring a lawsuit really wherever you want. And now, of course, the proposed reform says, well, you can't bring it in certain areas unless you have a certain nexus.

Here's the problem: If you bring this in Chicago, the little guy, it's 5 years. If you bring it in Washington, D.C.'s "rocket docket," it's called, you get it there in 1 year. Well, who is to gain by taking litigation and lengthening the time of it? It's the big guys versus the small guys. And if there had been a problem in these rocket dockets, and there are three or four across the country where you can move something fast, but if there had been a problem such as in Madison County, Illinois, which has been known for abuse of class action lawsuits, we would know it. But the judges in these rocket dockets willingly take the case because they have become experts on patent law. People trust their judgment, and they have come down in favor of the inventor as many times as they have come down opposed to the inventor.

Thank you for your leadership.

Mr. ROHRABACHER. I appreciate that.

I think that we need to understand that there are so many parts of this bill, as Mr. MANZULLO has pointed out, whether we are talking about damages or whether we are talking about challenges before and after the patent can be filed and hoops to be jumped through, each and every one of them designed basically to thwart the little guy, thwart the inventor. And, as I said, the group behind it, the electronics industry, their purpose, I believe, is to be able to promote the theft.

But what do they say? What do the people who are the proponents of this legislation say is their motive? They claim that we have to have this patent

reform in order to harmonize the patent laws of the United States with those of the rest of the world. Harmonization.

Well, we have had the strongest patent protection of any country on this planet, which has guaranteed the success of our country and the high standard of living of our people. That is what we got from the strongest patent protection because we considered that strong protection of our rights the same protection that we would give for speech or freedom of religion or the other rights that we hold sacred.

Well, if we have the strongest patent rights in the world, patent protections in the world, and if we want to harmonize them with the rest of the world, that means we are going to decrease the protection of our citizens.

What would happen if we told our citizens in order to have harmony with the rest of the world's laws, we are going to meld them all together and harmonize our laws of freedom of speech and religion with the rest of the world and we would be told, well, maybe we could enjoy the freedoms now at the level of the people of Singapore or someplace like that? Well, there would be a revolt in this country if we tried to diminish the protections of our people to harmonize it with the rest of the world. But that is what they are doing for the economic freedom that we are talking about today. The economic rights of our people are being harmonized in terms of their ownership of their creation, their patents and innovations. They want to harmonize that with the rest of the world.

Well, if there should be one standard for the rest of the world, let them harmonize with our laws. Let us bring up their standards. The Japanese and the Europeans do have a different standard on this, and that is why the Japanese are incapable of creating new technologies. They just take what we have and try to improve it.

The fact is we have had the strongest patent protection rights in the world and we have thus had more innovation and a higher standard of living of any other people of the world. The common man here has had the opportunity that common people in other parts of the world do not have because of American technological superiority. We can't let those who profit already by setting up factories in China and other dictatorships that are totally contrary to our way of life to tell us they want to make even more money to be able to steal even the technology and the new ideas so that those factories over there will be able to produce the newest and cutting-edge technologies coming out of our innovators even before our innovators are able to commercialize it in the United States.

Well, perhaps if you are a corporate elitist, the idea of harmonizing our rights with the rest of the world and harmonizing our property and bringing down certain levels of protection makes sense. If you are a corporate

leader who lives behind a gated community and you are not affected by the fact that American workers are becoming less competitive because we are sending our technology overseas, no, you don't understand that because you are in the corporate boardroom. But the American people understand that. And that is why the unions are against this bill. That is why we have a broad coalition of Democrats and Republicans against H.R. 1908.

What we have is a disguised destruction of the fundamental patent system that has been in place in our country for a long time, for over 200 years. As I read, it was part of our own Constitution.

Well, this attempt to steal the little guy's creation is not new to our country. Even with our patent protection, it has been a rough haul for our inventors.

There is a statue in the Capitol of the United States. There are many statues in the Capitol. My favorite statue is right downstairs. It is the statue of Philo Farnsworth. Anyone visiting the Capitol, I would suggest, should go see the statue of Philo Farnsworth. It's there with the rest of the heroes of freedom and a bunch of politicians who have made statues to themselves. Philo Farnsworth was the quintessential American inventor, individual inventor. He was a poor person, of course, but had limited education, probably a master's degree. I'm not really sure what his education level was. But he came from a rural area in Utah, and through his own creative instincts and his understanding of physics and other theories and electronics, he was able early in the last century to fully understand how to create a picture tube. He was actually the "father of television."

RCA at that time had spent hundreds of millions of dollars, hundreds of millions of dollars investigating, doing research, trying to find the secret of how you could turn radio waves into a television tube. They never were successful.

He discovered it. He was the one who had the breakthrough idea of how it could be done. Philo Farnsworth. And he wrote to RCA and said, I have discovered this. I understand you are doing a lot of research. I know how to do it.

And the head of RCA's research department came out all the way on a train to see Philo, and he went through his small laboratory and showed him what he had discovered. And it was with an understanding that Philo, perhaps a very naïve understanding, was going to work with RCA and develop this picture tube so all of the American people would have now a whole new way of life with the television set. And television has changed our way of life.

The guy from RCA took all the notes, and he sped away on the train back to New York, saying, "We're going to get right back to you so we can get moving on the development of this technology."

Well, Philo waited and he waited, and there never was a phone call from New York. And guess what. He read in the paper a few months later that RCA had made a huge discovery, and it was the discovery of how to produce the television picture tube and how they had had this incredible breakthrough in their laboratories.

Philo Farnsworth fought for 20 years to get recognition that he was indeed the inventor of the picture tube. It was an incredible fight. David Sarnoff, an arrogant head of RCA, a corporate leader who could give a darn about little guys like Philo Farnsworth, ended up doing what? Instead of paying royalties and recognizing and giving credit to this wonderful inventor, he decided to smash him like a bug, decided to fight him and use every bit of the treasure that was available to RCA to beat this guy into submission, this little guy who thought he had the right to challenge the great David Sarnoff.

□ 1730

It went all the way to the Supreme Court. And God bless America, the Supreme Court decided for little Philo Farnsworth against one of the great arrogant corporate giants in America, David Sarnoff.

Unfortunately, Philo Farnsworth, by that time most of the patent time had run out, he never made much money from his great discovery that changed the world we live in. But I will tell you, today, as you go through the Nation's Capitol, you can take a look at the statue of Philo Farnsworth right here and you can understand that we pass laws here to make sure the rights of the little guy are protected, even when that little guy is in a fight with a powerful interest like RCA. David Sarnoff does not have a statue in this Capitol. So let us note this, that in this Capitol is the statue to the little guy and to the rights of the little guy.

Tomorrow we will face a bill, H.R. 1908, that is designed to smash down the little guys, the inventors, so that arrogant corporate giants can steal their technology, corporate giants who do business overseas who consider themselves globalists and multi-nationalists taking American technology overseas. That's what is at hand. That is the issue that is being discussed.

Mr. Speaker, I would call on my colleagues to join me and MARCY KAPTUR and members of the Democrat Party and Republican Party who are watching out for the little guy tomorrow. Join with the universities and the unions and other corporate interests and manufacturers in the United States who are trying to protect intellectual properties so they can compete overseas. Join us in defeating the Steal American Technologies Act II, H.R. 1908.

And with that, I yield back the balance of my time.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1908, PATENT REFORM ACT OF 2007

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110-319) on the resolution (H. Res. 636) providing for consideration of the bill (H.R. 1908) to amend title 35, United States Code, to provide for patent reform, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2669, COLLEGE COST REDUCTION AND ACCESS ACT

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110-320) on the resolution (H. Res. 637) providing for consideration of the conference report to accompany the bill (H.R. 2669) to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008, which was referred to the House Calendar and ordered to be printed.

#### ISRAEL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New York (Mr. WEINER) is recognized for 60 minutes.

Mr. WEINER. Mr. Speaker, I ask my colleagues to ponder a hypothetical. Imagine for a moment that a small town in your district, whether you represent a rural or urban district or suburban district you can imagine this hypothetical, but it's an unimaginable concept to many of us in the United States. Imagine if a town in that district was hit by a rocket, just landed out of the sky, launched from a neighboring town, or if you're near the border, launched from a neighboring country. Imagine for a moment how you would react as an elected official in that town, imagine for a moment how you would act as a parent of people in that town, imagine how you would act if you were government from that town.

Well, for one small town in the southern part of Israel, it's not something they need to imagine. Let me show you a map of Israel and point to a small town called Sderot. It's right down here near the Negev, right along the border of the Gaza Strip.

Sderot is a town of 24,000 people. It is not a wealthy town; it's basically a working class town. Like I said, not very big. But in the last 5 years, not one, not two, but 2,000 rockets have landed on that town, all of them launched from the Gaza Strip.

Now, as you ponder what it is that you would do, let me tell you a little bit about the effect it has had to the people of Sderot. Eight people have

been killed as these qassam rockets have fallen. What is a qassam rocket? A qassam rocket is a fairly primitive rocket that is made out of basically a plumbing pipe with four stabilizers and filled with about a pound or so of shrapnel, that when it explodes, it blows the shrapnel all around.

This is a picture of some of the qassam rockets that have landed in Sderot over the last 5 years. This is what the back of the local police station looks like. They keep them all and they mark it when they land. Now, eight people have been killed by these rockets, three of them children, dozens have been wounded. There have been 155 of these rockets landing in this town just since June, when Hamas was elected as the representative party of the people of the West Bank, and some would argue Gaza as well. You see this small strip of land? That's the Gaza Strip. Lobbed one by one by one into this town of Sderot. Well, as you think about how your citizens might deal, let me tell you a little bit about how the citizens of Sderot have dealt.

For one thing, when there is any kind of notice that they get, and they have a rather primitive system of lasers that detect when there is heat out in the desert that seems extraordinary, a notice goes to the local police department and then they send out tzeva adom, tzeva adom, which just means "code red." Then you have about 15 seconds. That's how much time the people of Sderot have to respond. They can do a couple of things. They can run into these concrete shells that have been built all throughout town. The way we might have phone booths in our towns, they have concrete structures that are called life shields. They are supposed to pull over or stop their car where they are and run to a building or wall. It's the only part of Israel where it's illegal to wear your seat belt because you have to be able to run out of your car as quickly as possible to avoid the rocket attacks.

And kids, of course, they're taught the old 1950s-era American idea of "duck and cover," except when it comes to the children of Sderot, it would be more aptly described as "duck and suffer." One in three children in that town suffer from post-traumatic stress disorder. It is not coincidental or accidental that seven rockets landed in that town on the first day of school this past Sunday. There was a rocket attack today.

It is hard to find pictures that truly can express what it is like when a rocket falls on an elementary school; but this is a picture that was taken during a rocket attack last year, children essentially cowering in a corner of their school and holding their heads for their lives.

You know, it is easy to describe in dry terms what you're supposed to do when a rocket lands on your town, and thank God many of us will never know what that is like. But imagine what it is like when there are hundreds of