We are being asked to raise the bar for an inventor to bring a lawsuit to defend his or her rights, rather than lowering the bar to allow a small business to defend itself against frivolous lawsuits.

In addition, the claim of technical correction, under that claim, this legislation proposes to remove the patent system's only independent judicial review process, section 145 of title 35. If this passes, inventors who are not satisfied with the Patent Office administrative process will have no recourse, no recourse, although this safeguard of judicial recourse has been in American law since 1836.

This isn't some antiquated process. It is an independent judicial review; and last year the Supreme Court, in Kappos v. Hyatt, reaffirmed the importance of having judicial review when you have people in the Patent Office who are defining the property rights of American inventors, something so important to our country.

Now, the Patent Office has requested that judicial review be done away with because it is burdensome for them to defend their actions in court on the rare occasion that this happens. So, oh, it is burdensome.

Well, the Patent Office wants to strip away the rights of Americans because it is inconvenient to the bureaucracy. Boy, here is where we have got the bureaucracy and multinational corporations working hand-in-glove.

This legislation going before the Judiciary Committee here in the House next week is consistent with the decades-long war being waged on America's independent inventors.

Here are some of the sections of that bill I have been talking about, H.R. 3309, which will be going through the Judiciary Committee next week, and how it undermines America's patent system and patent rights of the little guy and opens up power grabs by the multinational corporations, which is something we have been experiencing for the last 25 years and have had to beat back every time.

Well, here we go. Here are some provisions of this bill: H.R. 3309 creates additional information requirements, which means when you are filing a legal case for infringement it is going to cost you a lot more. There is more paperwork and thus more potential for a dismissal of the case just on a technicality.

More paperwork means higher costs, more likely to have the case thrown out on a technicality, which then increases, not decreases, the chances of small patent holders being infringed.

This bill also switches to ''loser pays.'' And of course, ''loser pays'' sounds like a good idea; but when you talk about this in terms of patent rights, what we have got is these huge corporations who have got deep pockets, and if you end up having ''loser pays,'' the little guy knows for him to actually try to have the loser pay means that this big corporation can put massive expenses on to their defense, where you have only a smaller amount that is available, so you are then put in great disadvantage.

We are, again, making the little guy, putting them at the disadvantage of these big, multinational corporations.

H.R. 3309 adds a new dimension to this ''loser pays.'' It allows the Court to bring others into the case involuntarily, as a plaintiff, if they have an interest in the patent they make them liable for the cost. So if you have somebody, like Milo Farnsworth, whose patent was stolen, whose idea was stolen, anybody who would invest in his lawsuit, which is what he had to do in order to take it all the way to the Supreme Court—and God bless the Supreme Court of the United States and the United States of the America, that we have a court that sided with this little guy.

But now they want to change that so the Milo Farnsworths can't get people to invest in their suit because at that point they, then, are liable for the court costs of the big corporation that is being taken on.

This is so broad that people can be made part of an infringement case, even if their interest in the patent is just legal or innocent, such as those who have licensed the patent.

This, combined with the ''loser pay'' provision, means that if the patent holder loses the infringement suit, anyone who has done business with him may lose or be held financially liable. What a disincentive for people to support the efforts of small inventors.

This is absurd. But yet this is what is going to be going through the Judiciary Committee next week, just like they have tried to push this on us for 25 years. And the players behind this are big, multinational corporations trying to steal the technology that has been invented by America's small inventors.

H.R. 3309 allows the courts to limit discovery until clarifying the patent and infringement claim.

What does that mean? The case will take longer and thus cost more.

The transparency of patent ownership, once filing a claim for infringement, a patent holder must, according to the provisions of this proposed legislation, provide information about all parties with an interest in the patent to the Patent Office and to the accused infringer.

As a result, we have an elimination of privacy in these business dealings. The little guy is totally exposed, as are his friends.

Here again we are trying to do everything we can, and this legislation is trying to do everything that it can to try to get people not to support the little inventor. Don't get on his side. Don't give him any strength to enforce his rights because he invented something that now some multinational corporation has stolen and wants to manufacture in China.

Once this requirement has been invoked, the patent holder must maintain—here it comes—the patent holder will also have to maintain a current record of information on file in the Patent Office. Thus we have, again, bureaucratic reporting requirements for these little inventors.

That, to a big corporation, means nothing. To a small inventor, it means all of his time, all of his resources. And if, indeed, they do not report—let's put it this way, if he doesn't report it right, he could lose the intellectual property rights he is trying to protect.

In addition, the patent holder would be forced to pay recordkeeping fees to maintain a current record at the Patent Office. There we have bureaucratic fees all aimed at the little guy, because the big guys can afford this. They have got people on the payroll. They have got lawyers on the payroll.

Then we have the customer suit exemption. This section appears to remove all of the current section 296 of title 35, which specifically allows—here it goes, this is really significant—this allows inventors to sue governments who infringe on their patents.

What we are talking about here is, if a government steals a person's intellectual property, it permits them to get away with it. This emasculates the right of the American inventor, American people, to hold their government accountable if the government steals their technology. This is totally contrary to American tradition.

Limits of discovery in a court case, unless the judgment determines necessary and appropriate, again, an infringer, and this is section 6 of H.R. 3309, an infringer, especially big ones like large multinational corporations, may make an infringement paper trail.

This requires a paper trail, what we are saying here, this section, that is so broad and so diverse that a plaintiff will have to ask repeatedly for discovery.

The SPEAKER pro tempore. The gentleman's time has expired.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3350, KEEP YOUR HEALTH PLAN ACT OF 2013

Mr. BURGESS (during the Special Order of Mr. ROHRABACHER), from the Committee on Rules, submitted a privileged report (Rept. No. 113–265) on the resolution (H. Res. 413) providing for consideration of the bill (H.R. 3350) to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1915

OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the

gentlewoman from North Carolina (Ms. FOXX) for 30 minutes.

Ms. FOXX. Mr. Speaker, the decisions we make in this body matter to the people in this country. They matter to families. When Obama and the Democrats in Congress, with no Republican votes, chose to radically alter health care—something that impacts every American and compromises one-sixth of the United States economy—the effects extend well beyond committee hearing rooms, courtrooms, and government office suites. The effects are felt in doctors' offices. They are felt in homes across the Fifth District I represent. They are felt by moms and dads who are finding out the health care that they had counted on keeping, insurance they had budgeted for and know they can afford, won't be around next year.

Earlier this month, it was estimated that 160,000 North Carolinians received that unwelcome news. My constituent Dawn from Wilkes County is one of them. She wrote to me to tell me exactly how Washington's interference with her health care is affecting her. Let me let Dawn speak for herself.

Dear Representative FOXX: Never in my life have I been without health insurance. I am writing to share with you the impact of the Affordable Care Act on my health care options.

I work part-time and purchase my own health insurance. In order have an affordable monthly premium and to have the possibility of budgeting for dental and vision care as well as general medical care, I have had a high-deductible health savings account, HSA, for several years.

The Affordable Care Act has eliminated my current HSA with BlueCross BlueShield of North Carolina. I currently have an annual deductible of $5,000 and a monthly premium of $160.30.

The ACA-compliant replacement policy which I have been offered by BlueCross BlueShield will have a $5,500 annual deductible and will cost $478.60 per month. Even with a 10 percent higher deductible, this new plan will cost $318.30 per month more than what I can now afford. That is a 198 percent increase—almost three times what I now pay—for a plan with a higher deductible. Please help me understand how this is affordable care.

My husband and I do not have cable or satellite television, high-speed Internet, smartphones, or other optional services which we can cancel in order to pay the astounding increase in my health insurance premium. We do qualify for a partial subsidy to help cover the premium, but that does not change the $5,743.20 annual price for this meager health insurance policy. It merely shifts part of the expense to our children and some other taxpayers.

I have spoken with representatives in the health care exchange and www.healthcare.gov and with independent insurance brokers, but they offer little hope. Do I have any option in order to continue to live within my means and afford to pay for my own health care? I am truly bewildered.

Sincerely,

DAWN.

Mr. Speaker, reading Dawn's letter breaks my heart. This is a woman who plans ahead. She budgets carefully. She takes pride in her work and responsibility for herself and for her family. ObamaCare is changing things drastically for her and millions of other Americans like her.

With about a month to go before the Affordable Care Act renders her current health insurance illegal, Dawn is left with questions, the last of which I will repeat again:

Is it possible to live within my means and afford to pay for my own health care?

Americans took the President at his word when he said they would be able to keep the care and doctors they liked. They trusted that a law called the Affordable Care Act would actually make health care more affordable. They believed that the President wouldn't raise taxes on the middle class through this law.

Mr. Speaker, the President's broken promises are hurting families like Dawn's, but the higher premiums and the canceled plans are central to ObamaCare. The law will work only if many Americans are compelled to leave their current plans and pay more for government-approved insurance.

Now, as the country is becoming better acquainted with this very sad reality, Democrats and Republicans in Washington must recognize that repeal is still the only way to solve all of ObamaCare's problems.

The answer to America's health care challenges is not going to be found in 100 percent partisan solutions like the Affordable Care Act. We should work together to enact honest, patient-centered reforms that empower families like Dawn's with choices and custom care options so that she can continue to pay for health care and still live within her means.

Mr. Speaker, I now yield to the gentleman from California.

Mr. ROHRABACHER. I appreciate the gentlewoman yielding to me to finish my remarks.

Section 6 of H.R. 3309 calls for a limit on discovery when we are talking about patents. Just so you will know again, one of the results of these innocuous things is hard to understand. What it means is that if you limit the discovery when someone says, ''I invented this, and I am trying to have discovery with a huge corporation to find out how they infringed on my patent,'' if you limit that discovery and that little guy has to have more motions, it costs a lot more money and, thus, the little guys can't afford to bring a suit against the big guys.

So basically what we have got is a list of things in this bill that make it extremely more difficult for the little guy to afford to support and defend his own patents. And on top of that, then we have this attack on patent trolls who are there to try to assist anybody that can't afford to enforce his or her own patent. This is a boon to the huge corporations, the multinational corporations, and perhaps foreign corporations who also get involved in this.

Let us note that section 7, Small Business Education, Outreach, and Information Access, says that the Director of the Patent Office will create a database on ''patent trolls,'' thus creating a strategy to teach businesses how to defend themselves against patent trolls. You know what we have got here? We have got the creation of an enemies list. That is what we have here. Justification for people to be put on an enemies list if they are out trying to help small inventors enforce their patents.

And finally, let me just note here, section 9, Improvement and Technical Corrections to the Leahy-Smith America Invents Act, states it eliminates section 145 of title 35. Again, this is one of the most important things they are trying to slip through this process. This would, again—and I am repeating this because it is so important—eliminates the independent judicial review of patent applications, which has been the law of the land since 1836. A huge emasculation, a cut in the rights of people who are seeking patents, inventors, the creative people in our country. This would eliminate their right—if the Patent Office is not treating them fairly or has made a mistake—for a judicial review that has been a right of the Americans since 1836. This is horrendous.

This bill that is being considered next week by the House Judiciary Committee is not reform. It is an antipatent bill consistent with decades-long antipatent attacks by multinational corporations who want to emasculate America's patent system. And these multinational corporations may or may not be headed by Americans, but they are not watching out for the interests of our country; and especially, they aren't watching out for the innovators and inventors of our country.

I ask the American people, the patriots, to call their Members of Congress and oppose H.R. 3309, the Innovation Act.

And I would add one last element, as my colleague was just talking about the ObamaCare issue that we have been discussing here. One of the things that I have found most objectionable about the Affordable Care Act, they have a provision in that bill that gives a 2.5 percent tax on the gross receipts of anyone who invents a medical device.

Our inventors have helped increase the standard of living of our people, have improved the chances for survival, survival of people's families by inventing new technologies that have enabled us to fight diseases, that have taken millions of people throughout the history of the planet, taken them away in horrible agony. We have our innovators and our inventors now creating these new things.

I have a personal situation where a loved one is suffering from cancer, and that loved one has had implanted in her a little—it is a portal, they call it. It is under the skin, and it permits this person to have chemotherapy and blood transfusions without having to go through the vessels, the blood vessels.

This invention has saved this person's life, because 20 years ago, that young girl would probably have had collapsed blood vessels or died of some type of situation from infection from putting the needles in one's arm. This is what happened 20 years ago and why the survival rate now of such cancer patients has gone up.

I feel like hugging the person who invented that device. That person deserves our love and gratitude. This administration has seen fit to punish this person for this creativity and this innovation.

This administration put a 2.5 percent tax not on the net, not after all the expenses that this inventor went through to invent this, all the expenses to go into producing it, all the expenses that go into distributing it, making sure people knew how to use this new device. No, no. This is a 2.5 percent tax on the gross income. It is a horrendous penalty on the person who has saved the lives of all these people. That is what this Affordable Care Act is all about. That is what ObamaCare is all about.

In some misguided idea that we are going to redistribute the wealth and take care of everybody through government, we are now doing things that are of great harm to the people in this country, not just to the infrastructure, the financial infrastructure of our health care which is collapsing under the incompetence of this law that is foisted upon them with lies, no, but also we are now facing a situation where the very heart and soul of human progress, medical technology, is being punished through this law.

I join with my colleagues and say that this is something we should all join together, repeal, and start again and try to do a better job next time.

Ms. FOXX. I thank my colleague for his comments and yield back the balance of my time.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 893. An act to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 6, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 2094. To amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements).

H.R. 3302. To name the Department of Veterans Affairs medical center in Bay Pines, Florida, as the ''C.W. Bill Young Department of Veterans Affairs Medical Center''.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Friday, November 15, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3646. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting The Department's final rule — Defense Federal Acquisition Regulation Supplement: Private Sector Notification Requirements of In-Sourcing Actions DFARS Case 2012-D036 (RIN: 0750-AI05) received October 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3647. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement-Panama (DFARS Case 2012-D044) (RIN: 0750-AH79) received October 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3648. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendment to Standards and Practices for All Appropriate Inquiries [EPA-HQ-SFUND-2013-0513; FRL-9902-22-OSWER] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3649. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Columbus Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter [EPA-R05-OAR-2011-0597; FRL-9902-00-Region 5] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3650. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Removal of Gasoline Vapor Recovery from Southeast Wisconsin [EPA-R05-OAR-2012-0891; FRL-9900-17-Region 5] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3651. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan [EPA-R04-OAR-2013-0147; FRL-9902-19-Region 4] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3652. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2012-0692; FRL-9902-25-Region 4] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3653. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — D-Glucopyranose, oligomeric, decyl octyl glycosides; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0165; FRL-9901-95] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3654. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fomesafen; Pesticide Tolerances [EPA-HQ-OPP-2012-0589; FRL-9401-8] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3655. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Imazapyr; Pesticide Tolerances [EPA-HQ-OPP-2012-0583; FRL-9401-9] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3656. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of 1-Propene, 2,3,3,3-tetrafluoro- [EPA-HQ-OPPT-2008-0918; FRL-9901-97] (RIN: 2070-AB27) received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3657. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's assessment of Demand Response and Advance Metering, pursuant to Section 1252 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

3658. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Guide 1.110 Cost-Benefit Analysis for Light-Water-Cooled Nuclear Power Reactors, Revision 1 received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3659. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-55, Notice of Proposed Issuance of Letter of Offer and Aceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3660. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-54, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3661. A letter from the Assistant Secretary, Department of Defense, transmitting a Report on Proposed Obligations for the Cooperative Threat Reduction; to the Committee on Foreign Affairs.

3662. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed by the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of