

I applaud Senator PETERS and Representative EVANS for recognizing the problem and working to advance the interests of our Nation's small businesses.

Mr. Speaker, I urge Members to vote "yes," and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 791 is the Senate counterpart to legislation spearheaded on the House side by Mr. EVANS and Mr. FITZPATRICK, both of Pennsylvania. Once again, it is bipartisan legislation coming out of the Small Business Committee.

That bill, H.R. 2655, was also reported unanimously out of our committee this spring. I commend them on their work on this important issue.

This legislation helps small businesses receive better access to education and training opportunities both domestically and abroad.

A partnership between the Small Business Administration and the USPTO would help more small-business owners learn how they can use intellectual property to protect their ideas and products. This important partnership between the two agencies will help to reach more small-business owners and better prepare them for doing business both here and abroad.

It is vital that small-business owners have as many tools and resources as possible to help protect their innovative ideas from intellectual property theft.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

Ms. VELAZQUEZ. Mr. Speaker, in line with the bills we are debating today, this recognizes the special place small firms have in America's economy and provides them a simple tool to protect themselves and their ideas.

Today's bill leverages the current role of the USPTO and SBA to educate and protect innovative entrepreneurs at home and abroad. Doing so is paramount to remaining the global leader in innovation.

Mr. Speaker, I urge Members to support this bill.

Mr. Speaker, I would like to take this opportunity to thank the ranking member—the chairman, Mr. CHABOT, and the staff of both the minority and the majority side. It has been a great pleasure working on these nine bills.

Mr. Speaker, I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I would just advise the gentlewoman not to get ahead of herself there. It ain't happened yet, and I don't think it is going to happen. But nonetheless, we have had a wonderful working relationship over the years. I have been the chair; I have been the ranking member. The gentlewoman from New York has been the chair and the ranking member. We would like to keep it just the way it is now, but we will see in about 6 weeks.

Mr. Speaker, I have already given the closing statement, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, S. 791.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## STUDY OF UNDERREPRESENTED CLASSES CHASING ENGINEERING AND SCIENCE SUCCESS ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6758) to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women and minorities in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6758

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Study of Underrepresented Classes Chasing Engineering and Science Success Act of 2018" or the "SUCCESS Act".*

### SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) *FINDINGS.—Congress finds the following:*

(1) *Patents and other forms of intellectual property are important engines of innovation, invention, and economic growth.*

(2) *Many innovative small businesses, which create over 20 percent of the total number of new jobs created in the United States each year, depend on patent protections to commercialize new technologies.*

(3) *Universities and their industry partners also rely on patent protections to transfer innovative new technologies from the laboratory or classroom to commercial use.*

(4) *Recent studies have shown that there is a significant gap in the number of patents applied for and obtained by women and minorities.*

(b) *SENSE OF CONGRESS.—It is the sense of Congress that the United States has the responsibility to work with the private sector to close the gap in the number of patents applied for and obtained by women and minorities to harness the maximum innovative potential and continue to promote United States leadership in the global economy.*

### SEC. 3. REPORT.

(a) *STUDY.—The Director, in consultation with the Administrator and any other head of an appropriate agency, shall conduct a study that—*

(1) *identifies publicly available data on the number of patents annually applied for and obtained by, and the benefits of increasing the number of patents applied for and obtained by women, minorities, and veterans and small businesses owned by women, minorities, and veterans; and*

(2) *provides legislative recommendations for how to—*

(A) *promote the participation of women, minorities, and veterans in entrepreneurship activities; and*

(B) *increase the number of women, minorities, and veterans who apply for and obtain patents.*

(b) *REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to the Committees on the Judiciary and Small Business of the House of Representatives and the Committees on the Judiciary and Small Business and Entrepreneurship of the Senate a report on the results of the study conducted under subsection (a).*

### SEC. 4. EXTENSION OF FEE-SETTING AUTHORITY.

*Section 10(i)(2) of the Leahy-Smith America Invents Act (Public Law 112–29; 125 Stat. 319; 35 U.S.C. 41 note) is amended by striking "7-year" and inserting "15-year".*

### SEC. 5. DEFINITIONS.

*In this Act:*

(1) *ADMINISTRATOR.—The term "Administrator" means the Administrator of the Small Business Administration.*

(2) *AGENCY.—The term "agency" means a department, agency, or instrumentality of the United States Government.*

(3) *DIRECTOR.—The term "Director" means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6758, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6758, the SUCCESS Act.

Back in 2011, I was one of five Members of Congress who cosponsored the Leahy-Smith America Invents Act that the President eventually signed into law. In it, a provision was included to provide the Director of the United States Patent and Trademark Office with the authority to set fees to cover the cost of examining patent applications and registering trademarks.

Today, as a senior member of the House Judiciary Committee, I recognize the need to extend that authority another 8 years.

The PTO plays a critical role in the development of new technologies. The agency operates on fees it collects from patent and trademark applicants. To ensure that the PTO has the resources it needs to properly examine patent applications and register trademarks to study the issue of patenting by women, minority, and veteran entrepreneurs, and to perform the countless other activities it undertakes that are essential to maintaining America's competitiveness, Congress needs to reauthorize the PTO's authority to adjust its fees.

Additionally, we need to ensure that every American with a great new idea has access to the tools necessary for success in order for our Nation to realize its full potential and to secure an even brighter economic future for ourselves and our children.

The SUCCESS Act helps us achieve that goal by requiring that the PTO provide recommendations to Congress on how to increase the participation of women, minorities, and veterans in entrepreneurship activities in the patent system.

While American ingenuity is unparalleled, recent reports indicate that we have not tapped into all that the American people have to offer. Those reports indicate that while U.S. women earn almost half of all undergraduate degrees in science and engineering, and an estimated 39 percent of all new Ph.D.s in those fields, it appears that only between 10 percent and 20 percent of innovators listed on patents are women. A 2017 study showed that racial minorities fair even worse.

Mr. Speaker, I want to take this opportunity to thank Representatives COMSTOCK and ADAMS for introducing language that served as the inspiration for the study included in H.R. 6758. I want to also thank my fellow members on the Judiciary and Small Business Committees for being original cosponsors of this legislation.

Mr. Speaker, I urge my colleagues to support this important piece of legislation, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I am proud to be the lead Democratic cosponsor of H.R. 6758, the SUCCESS Act.

This bill takes the important step of extending for 8 more years the Patent and Trademark Office's authority to set its own fees. It is a timely bill, and it is a timely time that we are passing this bill, because the fee-setting authority for the USPTO expired on September 16 of 2018.

This bill will allow the USPTO to have the ability to set the amount it charges for each of the services it provides to patent and trademark applicants.

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The ability to set its fees will also help the USPTO with its long-term planning. The fees are set to recover aggregate estimate costs of the patent and trademark operations, including all administrative costs.

This bill would renew the USPTO's fee-setting authority consistent with the framework of the America Invents Act, which was enacted in 2011. Section 29 of the America Invents Act called for the Director of the United States Patent and Trademark Office to "establish methods for studying the diversity of patent applicants, including those applicants who are minorities, women, or veterans."

This bill directs the Director of the USPTO, in consultation with the Administrator of the Small Business Administration, to conduct a study on the number of patents annually applied for and obtained by U.S. women, minorities, and veterans. The study would provide recommendations to promote the participation of women and minorities in entrepreneurship and in the patent system.

This data is necessary so Congress and the public can fully understand the demographic nature of the patent applicant pool. This study will be critical in developing policies to help underrepresented groups engage in entrepreneurial activities that are the backbone of our American economy.

Women, racial minorities, and low-income individuals are significantly underrepresented in the innovation ecosystem. For example, the Institute for Women's Policy Research reported in 2016 less than 20 percent of U.S. patents listed one or more women as inventors, and under 8 percent listed a woman as the primary inventor.

The exclusion of women, minorities, and other underserved communities is beneficial not just for inventors, but for the business sector as well.

For these reasons, I am proud to cosponsor this bill. I urge all of my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I want to thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 6758, the SUCCESS Act.

As the world's leader for innovation and entrepreneurship, the United States has historically been a breeding ground for the best ideas and creative approaches that improve our quality of life and solve some of the world's most complex problems. However, currently, women, people of color, and low-income communities hold significantly fewer patents than other demographics. A recent study even showed that children born to parents in the top 1 percent of income are 10 times more likely to become an innovator and hold a patent than those born into low-income families. Innovation should not be a skill set only available to the superrich or those with the most resources.

The SUCCESS Act is an important first step to better understanding why the patent gaps exist. It will take a collective effort to create a more equitable system. With data collected via the SUCCESS Act, timely research and the number of programs across the Nation addressing underrepresentation, the Federal Government can better promote policies that increase the opportunity for those underrepresented groups to successfully qualify.

I strongly believe that it is our duty to ensure that all people have an equal opportunity to compete for patents and participate in the innovation economy. The future of American innovation is diverse, and the SUCCESS Act will help us begin to close the gap in patenting and ensure that all innovators, creatives, and patent seekers have a seat at the table.

Mr. Speaker, I urge Members to support this legislation.

Mr. JOHNSON of Georgia. Mr. Speaker, I am again asking that my colleagues support this very commonsense bill, and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself the balance of my time to close, and I will be very brief.

Mr. Speaker, I would just like to thank the gentleman from Georgia for his hard work on this legislation. We worked together on a number of bills in the past, and I really do appreciate the bipartisan effort in this area.

I urge my colleagues to support this important legislation, and I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I rise in strong support of H.R. 6758, the SUCCESS Act.

This bipartisan legislation would direct the U.S. Patent and Trademark Office and the Small Business Administration to study the underrepresentation of women, minorities, and veterans among patent holders. It would also require the agencies to recommend legislative solutions for increasing participation by these underrepresented groups in entrepreneurship activities, and increasing the number of them who apply for and obtain patents.

The SUCCESS Act would provide an important first step toward narrowing the race and gender gap among patent holders. One study estimated that per capita GDP could grow 4.6 percent if more women and African Americans were included in the initial stages of the innovation process. It also found that exposure to innovation during childhood has an important impact on a person's desire to become an inventor. That makes it critical that young people have diverse role models in all fields of study.

The bill was strengthened, in the Judiciary Committee, by the Gentleman from Illinois, Mr. SCHNEIDER, whose amendment added veterans to the list of underrepresented groups that will be studied. Promoting greater inclusion in the innovation ecosystem is good for our economy and good for underserved communities, and I am pleased to support the bill.

The SUCCESS Act would also extend the U.S. Patent and Trademark Office's fee setting authority for eight years. Since this authority was first granted to the PTO under the America Invents Act, seven years ago, it has helped put the agency on solid financial footing, and it has enabled the PTO to continue performing the important work of protecting Americans' intellectual property.

I appreciate the leadership of Mr. CHABOT and Mr. JOHNSON, the sponsors of this bill, and the other bipartisan cosponsors of this legislation. I want to particularly thank Ms. VELÁZQUEZ, the Ranking Member of the Small Business Committee, for all that she has done to bring attention to the lack of diversity among patent holders, and to the important issues highlighted in this bill.

I look forward to continuing to work with her, and the other bill sponsors to advance not only this legislation, but also other measures to address the underrepresentation of women, minorities, and veterans within the innovation ecosystem.

I urge my colleagues to support this bill.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 6758, the “Study of Underrepresented Classes Chasing Engineering and Science Success Act of 2018.”

H.R. 6758, also known as the SUCCESS Act, provides recommendations to promote the participation of women and minorities in entrepreneurship and the patent system.

H.R. 6758 extends, by eight years, the Patent and Trademark Office’s authority to set its own fees.

As the legislation declares, it is the sense of Congress that the United States has the responsibility to work with the private sector to close the gap in the number of patents applied for and obtained by women and minorities to harness the maximum innovative potential and continue to promote United States leadership in the global economy.

H.R. 6758 requires the Director of the U.S. Patent and Trademark Office, in consultation with the Small Business Administration to conduct a study that identifies publicly available data on the number of patents annually applied for and obtained by, and the benefits of increasing the number of women and minority businesses owned by women and minorities.

The study directed by this bill will guide the legislative recommendations for how to promote the participation of women and minorities in entrepreneurship activities and for how to increase the number of women and minorities who apply for and obtain patents.

Additionally, H.R. 6758:

Requires the study conducted under section 3(a) to be submitted to the Committees on the Judiciary and Small Business of the House of Representatives and the Committees on the Judiciary and Small Business and Entrepreneurship of the Senate within one year of the date of enactment of the Act; and

Extends, for eight years, the authority for the U.S. Patent and Trademark Office to set its own fees under Section 10(i)(2) of the Leahy-Smith America Invents Act.

The Institute for Women’s Policy Research reported that in 2016, less than 20 percent of U.S. patents listed one or more women as inventors, and under eight percent listed a woman as the primary inventor.

In 2017, the Equality of Opportunity Project found that white children are three times more likely to become inventors than black children, and that children from wealthy families are ten times more likely to have filed for a patent than children from families below the median income.

One study estimates that GDP per capita could rise up to 4.6 percent with the inclusion of more women and African Americans in the initial stages of the process of innovation.

These statistics prove that we need more activity and involvement from a diverse pool of entrepreneurs and inventors.

I urge all Members to join me in voting in favor of H.R. 6758.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 6758, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: “A bill to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office’s authority to set the amounts for the fees it charges, and for other purposes.”.

A motion to reconsider was laid on the table.

#### ASHANTI ALERT ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5075

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ashanti Alert Act of 2018”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) MISSING ADULT.—The term “missing adult” means an individual who—

(A) is older than the age for which an AMBER alert may be issued in the State in which the individual is identified as a missing person;

(B) is identified by a law enforcement agency as a missing person; and

(C) meets the requirements to be designated as a missing adult, as determined by the State in which the individual is identified as a missing person.

(2) STATE.—The term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(3) ASHANTI ALERT.—The term “Ashanti Alert” means an alert issued through the Ashanti Alert communications network, related to a missing adult.

#### SEC. 3. ASHANTI ALERT COMMUNICATIONS NETWORK.

(a) IN GENERAL.—The Attorney General shall, subject to the availability of appropriations, establish a national communications network, to be known as the Ashanti Alert communications network, within the Department of Justice to provide assistance to regional and local search efforts for missing adults through the initiation, facilitation, and promotion of local elements of the network (referred to in this Act as “Ashanti Alert plans”), in coordination with States, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to adults.

(b) INTEGRATION WITH BLUE ALERT COMMUNICATIONS NETWORK.—In establishing the Ashanti Alert communications network

under subsection (a), the Attorney General shall integrate the Ashanti Alert communications network into the Blue Alert communications network established under the Rafael Ramos and Wenjian Liu National Blue Alert Act of 2015 (34 U.S.C. 50501 et seq.), to maximize the efficiency of both networks.

#### SEC. 4. ASHANTI ALERT COORDINATOR.

(a) NATIONAL COORDINATOR WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall designate an individual of the Department of Justice to act as the national coordinator of the Ashanti Alert communications network. The individual so designated shall be known as the Ashanti Alert Coordinator of the Department of Justice (referred to in this Act as the “Coordinator”).

(b) DUTIES OF THE COORDINATOR.—In acting as the national coordinator of the Ashanti Alert communications network, the Coordinator shall—

(1) work with States to encourage the development of additional Ashanti Alert plans in the network;

(2) establish voluntary guidelines for States to use in developing Ashanti Alert plans that will promote compatible and integrated Ashanti Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish an Ashanti Alert plan;

(B) criteria for evaluating whether a situation warrants issuing an Ashanti Alert, taking into consideration the need for the use of such Alerts to be limited in scope because the effectiveness of the Ashanti Alert communications network may be affected by overuse, including criteria to determine—

(i) whether the mental capacity of an adult who is missing, and the circumstances of his or her disappearance, warrant the issuance of an Ashanti Alert; and

(ii) whether the individual who reports that an adult is missing is an appropriate and credible source on which to base the issuance of an Ashanti Alert;

(C) a description of the appropriate uses of the Ashanti Alert name to readily identify the nature of search efforts for missing adults; and

(D) recommendations on how to protect the privacy, dignity, independence, and autonomy of any missing adult who may be the subject of an Ashanti Alert;

(3) develop proposed protocols for efforts to recover missing adults and to reduce the number of adults who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the adult is missing through the time of the return of the adult to family, guardian, or domicile, as appropriate, including—

(A) public safety communications protocol;

(B) case management protocol;

(C) command center operations;

(D) reunification protocol; and

(E) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the Ashanti Alert communications network with initiating, facilitating, and promoting Ashanti Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of adult citizen advocacy groups, law enforcement agencies, and public safety communications;