

pump. It is a perfect match, as much as anything up here is perfect. The same amount of revenue that we would save taxpayers is the amount of revenue that this tax increase would bring in.

So it does not have to be that one, but it also does another thing. It also tends to shift the burden away from those folks who are on fixed incomes that live from paycheck to paycheck. You know, everybody has to pay that tax at the gas pump, not just those folks that are making a lot of money; everybody does. And so this solution would also shift that burden away from them.

I do not have any pride of authorship; it does not have to be that offsetting tax cut, it can be anything.

But, folks, let us not as our first act, a conservative Congress—that is what we call ourselves, a conservative Congress—let us not as our first substantive act of this 105th Congress push through a \$2.7 billion tax increase.

The National Taxpayers Union agrees with me and opposes this bill; Citizens For a Sound Economy opposes this bill; many groups, grassroots groups, will be opposing this bill; let us put one in for the taxpayer, not for another tax increase. Let us do the right thing, let us be clearheaded about this, let us come up with an offsetting tax cut.

#### SLOW-MOTION PEARL HARBOR ON AMERICA'S WELL-BEING

The SPEAKER pro tempore (Mr. CHAMBLISS) Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. ROHRBACHER] is recognized during morning business for 5 minutes.

Mr. ROHRBACHER. Mr. Speaker, Congress this year will pass legislation that will determine the technological status of the United States of America in the 21st century.

Let us put this in perspective. America has had the most productive work force and provided a higher standard of living for the average person and met every challenge to our national security and our economic prosperity. Why? Because we were technologically superior. That is what gave us the edge; we were technologically superior. Why were we technologically superior? We were technologically superior because we have the strongest patent system in the world. It did not just happen that we had this American miracle, that our standard of living here increased, that the average person had opportunities never dreamed of in other countries. It happened because we were producing the wealth because we had the technology, because written into our law, into the very Constitution of the United States, is patent protection as a right of the American people. We traditionally have had the strongest patent protection of any country of the world.

Well, now, unbeknownst to most Americans, our patent system, the one that has kept our country No. 1, is

being destroyed, and the patent rights of the American people are being greatly diminished, this in a very low-key effort that very few Americans know about. In fact most Members of Congress know nothing about this.

I have documents detailing why this has happened, because you may say why would anyone want to destroy the very basic patent system that has been so important to the United States of America? I have a document that I will put into the CONGRESSIONAL RECORD detailing an agreement between Mr. Bruce Lehman, the head of our Patent Office, and his counterpart in Japan to harmonize American patent law with that of Japan's; and I hate to tell you, but we are not bringing up their weak patent system to become strong like the patent protection in America. Their harmonization process is weakening the rights of the American people, so it will be the same as the Japanese.

This is an absolute catastrophe in the making, a slow-motion Pearl Harbor on America's well-being.

This agreement to harmonize patent law between the United States and Japan by making our patent law weaker will do nothing but destroy America's leadership in the years ahead, and again at a very slow pace, so that future Americans will never know what hit them.

H.R. 400 is the legislation aimed at implementing this hoard agreement with the Japanese. I call it the Steal American Technologies Act. Among other things, it reconfirms that the guaranteed patent term, which we have always had, no matter how long it took you to get your patent issued, you knew you were guaranteed 17 years of patent protection. That is out the window; that is gone. It reconfirms that.

It also mandates—now get this—all American patents, if you make an application, even before those patent applications are issued—so someone does not have a patent yet, it is going to be published for the whole world to see after 18 months. So inventors will have every secret that they have got, all the work they put into building new technologies will be given to America's competitors to beat us economically.

And of course the third part of H.R. 400, the Steal American Technologies Act, would be eliminating the Patent Office, just obliterating it. That is right; we are going to obliterate the patent system, as we have got it, and we have had it since the founding of our country, and we are going to restructure it as a corporatized entity. A corporatized entity? Who is in charge? These people at the Patent Office, these diligent patent examiners trying their best to do a diligent job because they know their decision means billions of dollars in jobs for America, they are going to be turned over. They are now going to be employees of a corporatized structure and who is going to be in charge of that? Lord only knows.

H.R. 400 is an abomination. It has to be defeated. But the American people know little about it. Yet the lobbyists and the power structure in this town are pushing this bill through. There will be a hearing tomorrow on it in the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary.

H.R. 400, the Steal American Technologies Act, will be defeated or it will destroy the well-being of the American people. I am dropping legislation today which will take us in exactly the opposite direction. It guarantees the patent term that has been part of our rights since our country was founded. It brings back the right of confidentiality. We are not going to give up and publish everything after 18 months so the thieves in the world will steal all of our new ideas.

No, it remains confidential, the way it has always been confidential since our country's founding. We have a right of confidentiality, if you have a new idea, until you are granted that patent.

And No. 3, my bill will bolster and strengthen and make more efficient the current patent system.

I ask my colleagues to join me in supporting my legislation, and I ask that they oppose the Steal American Technologies Act, H.R. 400.

The document I referred to is as follows:

MUTUAL UNDERSTANDING BETWEEN THE JAPANESE PATENT OFFICE AND THE UNITED STATES PATENT AND TRADEMARK OFFICE, JANUARY 20, 1994

Actions to be taken by Japan:

1. By July 1, 1995, the Japanese Patent Office (JPO) will permit foreign nationals to file patent applications in the English language, with a translation into Japanese to follow within two months.

2. Prior to the grant of a patent, the JPO will permit the correction of translation errors up to the time allowed for the reply to the first substantive communication from the JPO.

3. After the grant of a patent, the JPO will permit the correction of translation errors to the extent that the correction does not substantially extend the scope of protection.

4. Appropriate fees may be charged by the JPO for the above procedures.

Actions to be taken by the U.S.:

1. By June 1, 1994, the United States Patent and Trademark Office (USPTO) will introduce legislation to amend U.S. patent law to change the term of patents from 17 years from the date of grant of a patent for an invention to 20 years from the date of filing of the first complete application.

2. The legislation that the USPTO will introduce shall take effect six months from the date of enactment and shall apply to all applications filed in the United States thereafter.

3. Paragraph 2 requires that the term of all continuing applications (continuations, continuations-in-part and divisionals), filed six months after enactment of the above legislation, be counted from the filing date of the earliest-filed of any applications invoked under 35 U.S.C. 120.

WATARU ASOU,  
Commissioner, Japanese Patent Office.

BRUCE A. LEHMAN,  
Assistant Secretary of Commerce and Commissioner of Patents.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess until 2 p.m.

Accordingly (at 1 o'clock and 9 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

## PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we look to our days, O God, we sense that there is so much to achieve and accomplish that we can become perplexed by our ability to fulfill what we want to do. It is our petition, O gracious God, that we would hear your still small voice which reminds us that Your Spirit dwells in our hearts and gives us that peace that others cannot give. We are grateful that in a world filled with the busy rhythms of time and the demands of the day, we can be confident in Your presence and in Your blessings that hold us, support us, and renew us. This is our earnest prayer. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina [Mr. ETHERIDGE] come forward and lead the House in the Pledge of Allegiance.

Mr. ETHERIDGE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## RESIGNATION AS MEMBER OF COMMITTEE ON BANKING AND FINANCIAL SERVICES

The SPEAKER laid before the House the following resignation as a member of the Committee on Banking and Financial Services.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 24, 1997.

Hon. NEWT GINGRICH,  
The Capitol, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Banking and Financial Services. Due to the time constraints on my new assignment on the Committee on Transportation and Infrastructure, I will not

be able to continue serving on the Committee on Banking.

Sincerely,

FRANK A. LOBIONDO,  
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.  
There was no objection.

## RECONSTITUTION OF REVIEW PANEL OF OFFICE OF FAIR EMPLOYMENT PRACTICE

The SPEAKER. In order to provide for the completion of ongoing proceedings in accordance with section 506 of the Congressional Accountability Act of 1995—Public Law 104-1—the Review Panel of the Office of Fair Employment Practices is, without objection, and with the concurrence of each appointing authority, reconstituted in the 105th Congress in the same form as at the end of the 104th Congress.

The Clerk will read the names of appointees.

The Clerk read as follows:

By the Speaker: Mr. Randy Johnson and Mr. Alan F. Coffey, Jr.

By the minority leader: Ms. Karen Nelson and Ms. Marda Robillard.

By the chairman of the Committee on House Oversight: Representative DIAZ-BALART of Florida, Chairman and Representative NEY of Ohio.

By the ranking minority member of the Committee on House Oversight: Representative JEFFERSON of Louisiana and Representative PASTOR of Arizona.  
There was no objection.

## ANNOUNCEMENT OF APPOINTMENT TO NATIONAL GAMBLING IMPACT AND POLICY COMMISSION

The SPEAKER. Pursuant to the provisions of section 3(b)(1)(B) of Public Law 104-169 and the order of the House of Thursday, February 13, 1997 authorizing the Speaker, majority leader and minority leader to accept resignations and to make appointments authorized by law or by the House, and upon consultation with the minority leader, the Chair, on February 13, 1997, appointed Mr. John Wilhelm of Washington, DC to the National Gambling Impact and Policy Commission on the part of the House.

## APPOINTMENT AS MEMBER OF BOARD OF VISITORS TO U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of section 9355(a) of title 10, United States Code, the Chair appoints the following Members of the House to the Board of Visitors to the U.S. Air Force Academy: Mr. DICKS of Washington and Mr. TANNER of Tennessee.

## APPOINTMENT AS MEMBER OF BOARD OF VISITORS TO U.S. COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of section 194(a) of title 14,

United States Code, the Chair appoints the following Member of the House to the Board of Visitors to the U.S. Coast Guard Academy: Mr. GEJDENSON of Connecticut.

## APPOINTMENT AS MEMBER OF BOARD OF VISITORS TO U.S. MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of section 1295b(h) of title 46, United States Code, the Chair appoints the following Member of the House to the Board of Visitors to the U.S. Merchant Marine Academy: Mr. MANTON of New York.

## APPOINTMENT AS MEMBERS OF BOARD OF VISITORS TO U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of section 4355(a) of title 10, United States Code, the Chair appoints the following Members of the House to the Board of Visitors to the U.S. Military Academy: Mr. HEFNER of North Carolina and Mr. SKELTON of Missouri.

## APPOINTMENT AS MEMBERS OF BOARD OF VISITORS TO U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of section 6968(a) of title 10, United States Code, the Chair appoints the following Members of the House to the Board of Visitors to the U.S. Naval Academy: Mr. HOYER of Maryland and Mr. MCHALE of Pennsylvania.

## APPOINTMENT AS MEMBER OF BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43) the Chair appoints the following Member of the House to the Board of Regents of the Smithsonian Institution: Mr. TORRES of California.

## APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES OF GALLAUDET UNIVERSITY

The SPEAKER. Pursuant to section 103, Public Law 99-371 (20 U.S.C. 4303), the Chair appoints the following Member of the House to the Board of Trustees of Gallaudet University: Mr. BONIOR of Michigan.

## APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES OF JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER. Pursuant to section 2(a) of the National Cultural Center