

determining the need for a commissary. The reality is there are millions of other military-connected citizens, reservists, retirees, dependents and survivors who also have commissary privileges.

If these groups are counted and clusters drawn where the highest concentration of eligible shoppers occur, the Pentagon could easily establish regional commissaries, a system I predict which would function much more efficiently and cost-effectively.

The second step would be to raise the commissary surcharge which has not been raised since 1983, A 1-percent increase would generate approximately \$53 million annually. I know this is not popular to say, but commissary shoppers, with an average basket cost of around \$50 would hardly notice the .50 cents added to their bill.

Taking these two steps would give DeCA leaders the flexibility they sorely need to improve services, upgrade stores, and show the rest of the Government that a performance based organization can really work.

Finally, I think it is important to make the point that the men and women directly impacted by these possible commissary closures freely chose a military career serving their country, oftentimes knowing they will make considerably less in terms of pay than they would in a civilian occupation. Part of the reason they dedicate their lives to protecting our country's liberty is because they are told that in return they and their families will receive medical care and access to a commissary. If these commissaries are forced to close, we will be breaking the promise made to them and denying these heroes of our society the adequate compensation they clearly deserve in return for their dedication to our country's military.

As you may know, I am a member of the House Committee on Veterans' Affairs and serve on its Subcommittee on Benefits. I come from a family with a long history of serving in the military. I myself am an Army veteran. I have four brothers who served in World War II and my immigrant father earned a Silver Star for valiant and heroic service in World War I. Thus, it is no secret that I strongly feel that our country owes a deep obligation to all active duty military personnel and veterans and must do everything possible to see that they receive the health care and other benefits they so rightfully deserve. It is my intention to work with all appropriate Members to see that these closings do not occur and that the commissary systems long-range problems are resolved.

This isn't an argument over who can sell the cheapest groceries. The question is how do you want to compensate the troops? Is the Pentagon going to raise pay to offset for closing commissaries? Even if each military personnel was given an extra \$75 per month to compensate, the cost would be prohibitive. In the end, we would spend more than it costs to keep the commissaries open and running.

I urge my colleagues from both sides of the aisle to join me in this effort. We owe the fine men and women in our military no less.

#### ISSUES OF IMPORTANCE

The SPEAKER pro tempore (Mr. ROGAN). Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, just frustrated for the last several days, when I have heard Members from the other side of the aisle, the Democrats, suggest to the Republicans, why are you not doing this, why are you not passing campaign finance reform? Why are you not helping this group, or why are you not doing this for those people?

I would like to remind everybody, Mr. Speaker, that the Democrats have controlled this Chamber for the last 40 years, ample opportunity, ample time to deal with some of the problems that they are so ready now to stand up and criticize Republicans for not moving faster.

I cannot help but think of the welfare reform so long overdue, where the U.S. Government has in effect said to young women in this country, if you get pregnant, we are going to do these things for you.

Can you imagine, Mr. Speaker, anybody going to their own young daughter and saying, I want to talk about the possibility of you getting pregnant and, if you get pregnant, we are going to increase your allowance by \$500? We are going to give you a food allowance.

We would never say something like that to our own kids. Yet as a society, we have been saying that.

Nothing happened to change welfare until the last 2 years when Republicans, for the first time in 40 years, gained a majority in this House, in this chamber, and decided, look, enough is enough. We are sending the wrong signals. If we want to get back to an America that rewards those people that work hard, that save, that try, then we are going to have to make some changes of where we have been going for the last 40 years. That means changing a complicated tax system.

We now have a Tax Code where special interest lobbyists have been coming in over these past 40 years and getting favoritism for their particular clients. So now we have a Tax Code that is so complicated, that is so unfair that everybody agrees that it needs changing. Yet it has not been changed.

And now what we are saying on this side of the aisle, and we are gaining support from the Democrats, is that we need to make some basic changes in our tax code to make it flatter, to make it fairer.

I would like everybody to guess how many people now work for the IRS, snooping around our different tax filings to see what they can find out. Luckily this week we passed a bill to say, no more snooping for IRS agents.

Sometimes we question what is happening with immigration. If you compare the number of people hired for immigration, something around 14 or 16,000, I think, with the 115,000 IRS agents that we employ to go over taxes, to do our auditing, saying that they have to have this kind of power because they are afraid the American people might cheat if they are not threatened with an audit, it has got to be our goal to get rid of the IRS as we know it.

Mr. Speaker, I would urge all Members of this Chamber to look at what has been accomplished over the last 40 years and what has not been accomplished. And even though Republicans might not be passing as many bills right now as we did 2 years ago, I think it needs to be clear that we are for changing this Tax Code. We are for doing away with as much of the death tax penalty as we can, to do away with that estate tax or at least increase the exemption, to do away with our Tax Code that discourages savings and investment.

We have the greatest penalty, Mr. Speaker, we have the greatest penalty against businesses that decide to buy new tools and machinery. So we penalize savings and we penalize investment. We need to change that. We are moving steadily ahead to do some of the things that should have been done much earlier than this session or last session.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

[Mr. GEKAS addressed the House. His remarks will appear hereafter in the Extensions or Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MILLER] is recognized for 5 minutes.

[Mr. MILLER of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

[Mr. MCINTOSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. GUTKNECHT] is recognized for 5 minutes.

[Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

[Mr. KINGSTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### PROBLEMS WITHIN THE DEPARTMENT OF VETERANS AFFAIRS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, I rise reluctantly today to highlight problems within the Department of Veterans Affairs.

Over the past several months, incidents of sexual harassment by several VA senior career managers have come to my attention and, I might add, probably to all of our attention.

This greatly disturbs me because Secretary Brown has repeatedly stated his support for a policy of zero tolerance toward sexual abuse.

Recently one former VA medical center director who was found to have sexually harassed a female staff member and who also engaged in abusive, threatening, and inappropriate behavior toward other female staffers was transferred to the Bay Pines VA Medical Center in St. Petersburg, FL. This center serves many of the veterans in my Ninth Congressional District. He was also permitted to retain his salary in excess of \$100,000 in a position that was created specifically for him. I am greatly concerned, Mr. Speaker, that the VA's policy of zero tolerance has, at best, not been implemented uniformly and, at worst, has been ignored. More disturbing have been revelations of mismanagement within the VA health care system itself.

Our veterans, Mr. Speaker, have made tremendous sacrifices in defense of our freedoms and way of life.

These sacrifices cannot be imagined by most people. Our veterans are entitled to the best and most timely health care services available.

And overall, Mr. Speaker, I believe that the majority of our veterans receive high-quality care in VA facilities around the country; and yet, these allegations of mismanagement do raise serious questions: Can resources be allocated more efficiently? Is the VA fulfilling its obligation in meeting its commitment to our Nation's veterans?

Mr. Speaker, these questions must be answered. I am pleased that Veterans' Affairs chairman, the gentleman from Arizona [Mr. STUMP], and Oversight Investigation Subcommittee chairman, the gentleman from Alabama [Mr. EVERETT], have agreed to my request to hold hearings on these important matters. Tomorrow we will begin this process.

Our Nation's veterans deserve to know, Mr. Speaker, that the money we appropriated to their health care will not be misspent on \$26,000 fish tanks and \$500 faucets but, rather, will be spent to meet their health care needs.

Mr. Speaker, since coming to Congress, most of us have committed to fighting for our veterans. That commitment has never diminished. And so, we are anxious to hear from the VA about how they intend to continue to provide high-quality care to our Nation's veterans and how they will rectify any problems detrimental to that pursuit. Our veterans deserve no less.

#### H.R. 400, THE 21ST CENTURY PATENT IMPROVEMENT ACT OF 1997

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. GOODLATTE] is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, in light of the deluge of misinformation that has been circulating recently on H.R. 400, the 21st Century Patent Improvement Act, I would like to speak briefly on how this legislation benefits small inventors as well as the entire Nation.

H.R. 400 benefits small inventors in four key areas. First, it allows small inventors to acquire venture capital more quickly and easily than they can under either the current system or H.R. 811, the submarine substitute offered by Mr. ROHRBACHER. Presently, small inventors often have trouble attracting venture capital to transform their ideas into marketable products. By allowing publication after 18 months from filing, however, H.R. 400 brings venture capitalists together with small inventors to market ideas that will benefit all of society.

Second, H.R. 400 gives inventors greater protection against would-be thieves who want to steal their ideas than they currently receive. In the present system, inventors have no protection against people who steal their ideas and commercialize them before their patents are granted. For example, third parties can currently commercialize unpublished patents by manufacturing a product and offering it for sale. The inventor is then powerless to stop the sales or to share in the profits until the patent is actually granted.

Under the Rohrabacher submarine substitute, small inventors would be left to fend for themselves in these situations. H.R. 400, however, allows small inventors to receive fair compensation from any third party who steals their ideas between the time a patent is published and the time a patent is granted. This patent pending protection will give small inventors the protection they need to stop commercial thieves from stealing their ideas.

Third, H.R. 400 gives small inventors longer patent terms than they receive under current law. In the old system, which the Rohrabacher submarine substitute seeks to resurrect, inventors received patent protection for only 17 years from the date the patent was granted. H.R. 400, on the other hand, gives good-faith patent applicants a minimum of 17 years of protection—and in most cases, more than that. Also, H.R. 400 provides extended protection for up to 10 years, and diligent applicants who do not receive timely ruling from the patent office will receive additional protection. Only H.R. 400 give small inventors the protection they need to survive in the marketplace.

Finally, H.R. 400 gives small inventors a special option to avoid publication. While most diligent inventors will want to take advantage of the venture capital and additional protection that comes with publication, some may have second thoughts about publishing their protected ideas—especially in cases where the Patent Office indicates that it might not issue a patent.

In these cases, H.R. 400 gives small inventors the option of withdrawing their applications prior to publication. They may then continue to refine their applications or seek protection under State trade secrecy law. This option is only available to small inventors—large corporations will be required to publish their patents after 18 months.

As an example of how H.R. 400 benefits small inventors, I would like to insert in the RECORD a letter I recently received from a small Virginia inventor supporting H.R. 400. Although a vocal minority has been engaged in a campaign of deliberate misinformation against H.R. 400 in recent weeks, I believe that this letter represents the silent majority of small inventors who fully support H.R. 400.

I would also like to insert into the RECORD a recent Wall Street Journal article exposing the scam of submarine patents. While some may argue that submarine patents do not occur very often, this article clearly shows that submarine patents cost American consumers and taxpayers hundreds of millions of dollars. A single submarine patent can wipe out an entire small business—and with some submarine patents, an entire corporation. The Rohrabacher submarine substitute, which the House will consider tomorrow, would continue to encourage this devastating practice.

Mr. Speaker, in closing, I would like to urge each of my colleagues to oppose the Rohrabacher submarine substitute and to support the unanimous product of the Judiciary Committee, H.R. 400. A vote for the Rohrabacher submarine substitute is a vote against small inventors. Only H.R. 400 will give them the protection they need to compete in the marketplace.

UNIQUE SPECIALTY PRODUCTS  
Arlington, VA, April 11, 1997.

Hon. BOB GOODLATTE,  
123 Cannon HOB,  
Washington, DC.

DEAR CONGRESSMAN GOODLATTE: The 21st Century Patent System Improvement Act, H.R. 400, has been favorably reported from the House Judiciary Committee and is scheduled to be considered on the House floor next week. This letter is to urge your support for the committee bill and to resist crippling amendments.

The bill is the work product of a bipartisan effort over several years to modernize the Patent and Trademark Office and to streamline the U.S. patent system. Extensive hearings have been held on the measure and concerted efforts have been made to accommodate those with keen interests in the legislation.

The bill, if enacted, would be extremely beneficial for my company. USP is a small business engaged in the development of medical imaging software. Currently, we are engaged in an effort jointly with an European pharmaceutical company to enhance the reliability of X-ray mammography. A patent application is pending now and several others may be filed in the next several months. We will then license the European company to utilize our imaging technology in clinical trials.

Several provisions of H.R. 400 will significantly help us in this regard. First, the bill authorizes and encourages the electronic filing and processing of patent applications. This is especially important in software development, where time is of the essence. The hardware and software imaging technology is evolving so rapidly, that quick response from the Patent Office is absolutely essential to survival of a company such as USP. Further, and more important, these advances in technology much reach the marketplace as soon as possible. Many lives are at stake.

Second, the bill's provisions on early publication are quite significant. The U.S. is the only major advanced society that does not have early publication as a key part of its patent law. As a result, our inventors and technology companies are at the mercy of