

# EXTENSIONS OF REMARKS

## INTRODUCTION OF LEGISLATION

### HON. ED BRYANT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. BRYANT. Mr. Speaker, I rise today to extend my remarks with an introduction of an important piece of legislation.

Today, we are introducing legislation that links two important issues—the need for pioneering research and development, and the need for patents with integrity to encourage that research. This relationship of R&D and patent integrity is one of mutual dependence \* \* \* a relationship in which each fosters the other for the benefit of us all.

We all know that pharmaceutical research is one of the best patient protection policies we can buy as Americans. Just ask any physician—or any patient who has benefited from the healing powers of a new pharmaceutical.

In fact, pharmaceutical research and development is one of America's success stories.

But R&D is not a matter of simply walking into a laboratory one day, discovering a product, and putting it on the pharmacist's bench the next week. Drug research is a marathon, not a sprint. It is expensive. And it is time-consuming. It costs more than \$500 million to discover and develop one new medicine. Research-oriented pharmaceutical companies spend an average of 15 years between the time they discover a drug and the time they are allowed to bring it to market.

That explains our legislation and the necessity for patent integrity. Patent integrity is the cornerstone, the wellspring, of research and development. The protection of intellectual property is even spelled out in the Constitution, which states: "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."

The message of the Founding Fathers was simple, straightforward and unmistakably clear—and for those reasons, it has stood the test of time. It was—and is—a directive that innovators should be able to benefit from their labors through the protection of intellectual property, which in turn will create the incentive to create pioneering products that benefit us all.

Pharmaceuticals assume a special importance in our nation's research and development efforts. I know this for a fact because my district is home to a major facility of Schering-Plough. This plant contributes in a major way to the economy of the region and employs 800 highly skilled people. But the issues here are much larger and more significant than one plant or one company.

The issues, instead, involve fairness and predictability in America's intellectual property laws—in other words, patent integrity.

In 1984, Congress passed the Hatch-Waxman Act, which was designed to accomplish

two goals. One was to enable generic drugs to get to market faster. The other goal was to restore some of the patent life that branded drugs were losing to lengthy regulatory reviews.

As time passed, however, it has become clear that the goals of Hatch-Waxman were significantly undermined by unintended consequences.

When it passed the legislation in 1984, Congress rightly assumed and anticipated that there would be relatively quick FDA approval for drugs that were in the approval "pipeline" at the time. In fact, that did not occur. For some drugs, the regulatory review took significantly longer than anticipated. This regulatory delay unintentionally deprived them of critical portions of their patent life.

Regulatory delay is an unfortunate occurrence in Washington. In many cases, it has direct consequences. This legislation is intended to address one of those consequences.

This legislation addresses this issue in the right way. It seeks to establish an independent and public review process within the Patent Office. This process would consider claims for patent restoration to offset regulatory delay.

Ultimately, this legislation enables Congress to assure patent integrity. And, by assuring patent integrity, Congress will be assuring a continuation of the types of research and development that helps patients every day.

## ESTABLISH NATIONAL WHEAT CLEANING PROGRAM

### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. SCHAFFER. Mr. Speaker, Colorado's Fourth Congressional District encompasses the eastern half of our state and is home to some of the most productive agricultural land in the nation. The soil, water, and climate conditions across the Eastern Plains, and throughout much of our state, provide a very favorable environment for Colorado's 14,000 wheat growers.

These growers have produced an average of 84.8 million bushels annually over the past 10 years, producing \$293.5 million in revenue each year. Furthermore, wheat is ranked as one of Colorado's top export commodities by dollar volume. Greater than 80 percent of our state's wheat crop is exported to over 60 different countries, including Egypt, Korea, China, and Latin America. These exports alone account for over \$234.8 million in annual revenue and contribute greatly to the 18,851 jobs produced by the Colorado wheat industry.

Yet, despite the favorable growing conditions and high levels of productivity, Colorado's wheat growers and many other producers across the nation have watched their profits, and in many cases their very livelihoods, decline sharply over the past couple of

years. The agriculture industry has become increasingly dependent upon the foreign marketplace to expand sales and increase revenues, yet many factors have placed our producers at a competitive disadvantage to other exporting nations.

Wheat export trade, in particular, has changed rapidly and significantly over the past decade. Government buying agencies have all but disappeared and have been replaced by private buyers, flour millers, and other end-users, which are typically more discriminating, quality-conscious buyers. One factor under increasing scrutiny is the level of dockage, or unmillable material such as weeds and wheat stalk, contained in U.S. exports.

The growth of U.S. wheat exports has been limited in recent years because cleaned wheat, or wheat that has undergone a process to filter and separate dockage, is not widely available among the U.S. export system, while other countries have been shipping grain with very low dockage content.

In response to pressure from the Congress and America's wheat growers last year, the president's budget request for the U.S. Department of Agriculture (USDA) this year includes a provision to allow matching funds to export elevators to install high-speed cleaning equipment. Such a long-term investment would greatly benefit the American wheat industry in particular, and the U.S. trade balance overall, by ensuring our exports are of sufficient quality to actively compete with other wheat exporting nations.

Mr. Speaker, I strongly encourage the Congress to authorize, and the president to implement, an effective national wheat cleaning program to help boost the competitiveness of U.S. wheat in the international marketplace.

## W.A. "BILL" TAYLOR IS A TRUE LEADER

### HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. PICKERING. Mr. Speaker, I would like to pay tribute to Mr. W.A. "Bill" Taylor, a friend of mine in Louisville, Mississippi. He is truly a man for all seasons. Mr. Taylor is a business leader, a philanthropist, and the CEO and Chairman of the Board of The Taylor Group, Inc.

Mr. Taylor's company was formed by his father, Mr. W.A. "Spec" Taylor is 1927 as a small, family-owned automotive and machine repair business. Today, it employs more than 1,000 people and is comprised of seven subsidiary companies that manufacture all types of machinery. Its "Big Red" product line is synonymous with quality and durability throughout the world.

Mr. Taylor built his company on three words: Faith, Vision, and Work. He has used that motto successfully in business as well as other aspects of his life. Civic and community

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

service activities continue to be a major part of Mr. Taylor's life. He served as a director of the National Association of Manufacturers (NAM), Construction Industry Manufacturers Association, Mississippi State University Development Foundation, Jackson Symphony Orchestra, Kidney Foundation of Mississippi and the Pshmataha Council of Boy Scouts of America. This week, he was inducted into the Mississippi Business Hall of Fame.

Mr. Taylor's pride and joy are his wife Mitzie, his sons Lex and Robert and their wives, his daughter Teresa, and four grandchildren, Alexis, Bailey, Davis, and Zachary. He has prioritized his life to put his faith, family, and community in the forefront of his life. He is truly a leader in the Third District of Mississippi and I am proud to call him my friend.

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TRIBUTE TO STEVEN FOGEL

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to my good friend, Steve Fogel, who is being honored by Stephen S. Wise Temple in Los Angeles for his years of dedicated service. Steve has served as a member of the Temple Board for 15 years, and has recently completed a two-year term as its president. Steve has played a central role in the development of the Temple into one of the premier institutions of Jewish life in Southern California.

Along with his strong commitment to Judaism, Steve is a successful businessman, an accomplished artist and an author.

Steve is an outstanding example of the self-made man. He put himself through USC while working as a professional photographer. After graduation, he entered the field of real estate. With a couple of years Steve and his partner, Howard Banchik, formed Westwood Financial Corporation, which owns and operates over 125 shopping centers across the Western United States, plus office buildings and apartment complexes.

Steve's literary skills are also extremely impressive. He has written three books, including *The Yes I Can Guide to Mastering Real Estate* and an upcoming work on God and the universe. When he is not writing or tending to his business, Steve is painting. He is an oil-color artist with over 50 portraits in private collections. His work has been placed in public exhibitions and he was the subject of a one-man show at the Sylvia White Gallery in Santa Monica.

Steve's wife, Darlene, also a devoted member of Stephen S. Wise Temple, serves on the board of the Fulfillment Fund and Friends of Neurology at Cedars-Sinai Hospital. They are the proud parents of a son and three daughters, one of whom, Kelly, graduated from Buckley High School with my daughter, Lindsey.

I ask my colleagues to join me in saluting Steve Fogel, a man of many talents and great generosity and community spirit. It is with considerable pride that I pay tribute to this fellow graduate of Hamilton High School in Los Angeles.

CONGRATULATIONS, CHIEF  
THOMAS C. O'REILLY

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. PAYNE. Mr. Speaker, I would like my colleagues here in the House of Representatives to join me in paying tribute to a man who has served the Newark community with distinction for over 36 years, our Chief of Police, Thomas C. O'Reilly. His many friends, colleagues, and family will gather on Thursday, April 29, for a testimonial dinner in Newark to honor him for his contributions and to express appreciation for his decades of dedicated service.

A lifelong resident of Newark, Chief O'Reilly attended St. Columba Grammar School and St. Benedicts Prep, then went on to earn an undergraduate degree from Kean College and a master's degree from John Jay College of New York City. He furthered his education at Northwestern University, a Police Administration Institute. Chief O'Reilly, who is affectionately known as "Tom," has built an impressive record throughout his career in law enforcement. He was appointed a patrolman and entered the Academy on December 10, 1956; he was later assigned to the 2nd Precinct and then to the Detective Division. Later, he was promoted to Sergeant and assigned to the Traffic Bureau. In 1966, he was assigned to the Police Training Academy and then promoted to Lieutenant in 1968. He was assigned to the Office of Management Improvement and Professional Development and assigned as Commanding Officer of the Gambling Squad. Upon promotion to Captain, he was assigned as the Commander of the West District in 1974 and then promoted to the rank of Inspector in 1977, where he was assigned as Commander of the Tactical Force. In 1978, he was assigned to the Detective Division until promotion to Deputy Chief of Police in 1983. Later, he was assigned Chief of Staff to the Police Director and in 1986, he assumed the role of Commanding Officer of the Office of Management Improvement and Professional Development. In 1987, he ascended to the position of Chief of Staff in the Office of the Chief of Police. In 1991, he was assigned as Chief of Staff to the Police Director, and on November 9, 1992, he took over the reins as Chief of Police.

Mr. Speaker, Chief O'Reilly has touched many lives in our community throughout his years of service. He has been a positive influence and a great role model. I know my colleagues join me in wishing Chief O'Reilly all the best and commending him for a job well done.

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NEW HEIGHTS IN HYPOCRISY

**HON. DOUG BEREUTER**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1999*

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues an excellent editorial questioning the President's recent comments about Congressional inaction on Social Security reform which appeared in the *Washington Post*, on April 27, 1999.

[From The Washington Post, Apr. 27, 1999]

A ROUT ON SOCIAL SECURITY

The President now denounces the congressional Republicans for refusing to take a step on Social Security that the president himself has consistently shunned. The Republican leaders say they won't bring up a bill this year to restructure the program so that in the long term revenue will cover costs; they don't want to take the political risk this close to the next election.

The president deplors the fact that they have "abandoned the effort," are "either unable or unwilling to face up to the challenge," etc. "I have proposed concrete steps," said the statement issued in his name last Friday. But he no more than they has said how he would make what he once again called "the tough choices needed to secure the trust fund over the long term." The most he will say is that there should be bipartisan discussions of the subject, which is to say, he wants to share the blame.

Yesterday the vice president joined in beating up on the Republicans for flinching. Since the vice president aspires now to lead the country, perhaps it's fair to ask him, what is he for? It may not surprise you to learn that he hasn't said either.

Mr. Clinton has proposed that the bulk of the projected budget surplus over the next 15 years be set aside to pay future Social Security costs in the only way the government can set it aside, which is use it to pay down debt. It's a good proposal as far as it goes. Debt reduction translates into an increase in national savings that will help the economy grow and make it easier for the government to increase borrowing again when it needs the money to pay the cost of the baby boomers' retirement.

By invoking Social Security, he rightly keeps the money from being used for other purposes, either new spending programs or tax cuts. But his plan, even in the event that the surplus were to materialize as forecast, would close only a little more than half the long-term gap between Social Security revenues and costs. The rest will require benefit cuts and/or tax increases. It's at that point that the voices of the president and his acolyte, the vice president, cease to be heard. It's a lot more fun to save an imaginary surplus than to tell future retirees and/or taxpayers that they'll have to make do with less.

The Republicans want to "privatize" Social Security, meaning shift toward a system in which at least a share of benefits will flow from individual investment accounts rather than the government. To a large extent, the shift would be illusory. The money for the "private" accounts would come from a compulsory national savings program, and to guard against loss, the government, in most versions of the plan, would likewise limit the range of investment.

Our own sense is that the costs and risks of such a step seriously outweigh the possible benefits. That's the president's apparent view as well. He thus berates the Republicans for failing to put forth a plan of which he disapproves. But they like the idea, and some in positions of leadership have at least been tinkering with alternatives. One version already has been put forward with some Democratic support, and another may be unveiled on the House side this week, if only for discussion.

The president offers no counterpart in this or, thus far, on Medicare, either. "We need some leadership of the president," Senate majority Leader Trent Lott said on a Sunday talk show as he announced that he, too, intended to duck the issue this year. The year began with statements of determination by both parties to follow the president's slogan of "saving Social Security first." It's