

report on the 2008 election said that there were significant problems for persons with disabilities in gaining access to the polls. Physical barriers remain in far too many cases. In fact, 31 states reported that ensuring polling place accessibility was “challenging.” The EAC should be strengthened to ensure that we have in place strong standards that will improve the voting experience for all Americans. The EAC has already played a central role in improving the accessibility of voting for the country’s more than 37 million voters with disabilities.

Furthermore, the EAC’s certification program is helping state and local governments save money. The EAC uses its oversight role to coordinate with manufacturers and local election officials in order to ensure that the existing equipment meets its durability and longevity potential. This saves state and local governments from the unnecessary expense of new voting equipment.

Mr. Speaker, eliminating the EAC at this time would be a regrettable mistake. We need to take steps to safeguard our democratic process, and agencies like the EAC should be strengthened in order to protect Americans’ right to vote.

PAYING TRIBUTE TO THE LIFE OF
MR. DANIEL EDWARD WEBB

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. COSTA. Mr. Speaker, I rise today with my colleague, Mr. CARDOZA, to pay tribute and honor the life of Daniel Edward Webb, who passed away at the age of 49, on Sunday, June 19, 2011. Dan and I had known each other for several decades and I greatly cherished our friendship. We say good bye to Dan as a brother, uncle, friend, avid forester and dedicated public servant.

Born in Mariposa, California, July 3, 1961, Dan was the fifth of eight children. He spent several summers in the Sierra Nevada in the Youth Conservation Corps which sparked a lifelong admiration for the outdoors. His affinity for the mountains seemed to have been born with him, and his passion never wavered, no matter how removed his environment. Dan went on to graduate from Kingsburg High School, and attended Reedley College, where he was both active in the Forestry Program and served as student body president. He subsequently earned a Bachelor of Science degree in Agriculture from Cal Poly San Luis Obispo. During this time, he continued to spend his summers in the mountains and eventually went to work for the United States Forest Service as a Park Ranger. Dan had many stories to tell about his time in the Forest Service, and I was fortunate to hear a great deal of them, including the time when he helped Jane Fonda find her way while on a hike in Kings Canyon National Park.

Dan also had strong political interests that were harmonious with his dedication to public service and the environment. At one point, he worked for Congressman Richard Lehman, serving the San Joaquin Valley in the areas of agriculture, water, and public safety. Afterwards, he came to work for me as my District Director, and then joined me in the California

State Senate as a policy advisor to the Senate Agriculture and Water Committee. Following his time with me in the State Senate, Governor Gray Davis appointed Dan as his deputy secretary to the California Department of Food and Agriculture. Having successfully completed many years of public service, Dan used his knowledge and political skills to launch a successful consulting career, specializing in biotechnology and agricultural science.

Dan will best be remembered by those who knew him for his wit, humor, love of people, and his simple generosity. He gave of himself freely, whether it was in offering food to the homeless or helping a friend repair a water pipe, and for that selflessness, we honor him.

Dan was preceded in death by his mother Agnes, his father George Sr., and infant brother Andy. He is survived by siblings George Webb Jr. of Granite City, Illinois, Sheila Yokota of Kingsburg, Lisa Inouye of Kingsburg, Mark Webb of Leander, Texas, Colleen Webb of Ventura, and Byron Webb of Merced.

Mr. Speaker, it is with great humility, honor and respect that Mr. CARDOZA and I ask our colleagues in the House of Representatives to pay tribute to the life of Daniel Webb: a dedicated public servant, a forester, a brother, a friend—a great American.

AMERICA INVENTS ACT

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform:

Mr. WAXMAN. Madam Chair, it is with great frustration that I rise in opposition to H.R. 1249, the America Invents Act.

Our nation’s patent system is the backbone of our knowledge-based economy and the well-spring of our most competitive industries. Since the era of the Founding Fathers, the patent system has evolved on the principle that individuals are entitled and encouraged to claim ownership of their thoughts and discoveries. For this reason we continue to be a world leader in innovation, producing some of the greatest scientific advances of the modern era and serving as a robust market for all around in the world who want to invest in or introduce the next “big idea.”

The objective of patent reform is to improve patent quality, reduce uncertainty and modernize a Patent and Trademark Office (PTO) mired in inefficiencies and delays. Regrettably, this bill as amended fails to achieve these critical goals.

On the issue of patent quality, I am deeply disappointed that Section 12 of the bill introduces a new supplemental examination procedure permitting patent holders a second chance to correct or revise information that was inaccurate or omitted at the time the patent was filed. The provision also prohibits any information provided in a reexamination proceeding from being used as evidence that a patent holder committed inequitable conduct and deliberately filed a patent application that was misleading or deceptive.

Effectively, this amounts to a “get out of jail free card” for any company fearful of having their patent invalidated because they deceived the PTO. Furthermore, nothing in the bill would stop a patent holder from seeking a supplemental examination with information that wasn’t even available at the time the patent was originally filed. What is to stop a drug company from submitting new clinical studies conducted after the patent was filed to shore up questionable claims in an original application? And what is to stop a company from cutting corners on a patent application when they know they can just fix it later?

If this bill is enacted into law, I am hopeful that the PTO will, at a minimum, adopt reasonable limitations on this procedure such as prohibiting reexamination of information that didn’t exist at the time of the original filing. It is essential that the agency carefully police what stands to be an abusive practice.

On the issue of certainty, I am concerned that this bill fails to offer greater clarity of the protection available to inventors during the “grace period,” or the one year period an inventor has to file a patent application after disclosing or publishing information about the invention. This time is critical for small inventors to conduct market research, pitch their ideas to investors, and raise sufficient capital to file a quality patent application. As our system shifts from a first-inventor-to-file to a first-to-file paradigm, small inventors face an increased risk that someone will hear their idea and race ahead of them to file a patent or use their own pitch materials against them to claim there is prior art undermining the patent application.

Which brings me to the issue of modernization. This legislation is a leap of faith. It represents a dramatic transformation of the patent system and introduces a host of new mechanisms for pre-grant submissions, post-grant challenges, and revamped derivation proceedings at an agency already mired in backlogs. Rather than giving the PTO the resources it needs to implement these sweeping changes, the Republican leadership has refused to let the agency collect and allocate the fees paid by patent filers. Instead, the agency must remain at the mercy of the appropriations committee for annual allocations.

It’s one thing to ask inventors to take a leap of faith on the bold restructuring of our patent system. But now they are being asked to take another leap of faith that appropriators won’t fall back on their long history of poaching patent fee revenues for other uses.

Congress can do better and inventors deserve better. If this legislation passes the House, I am hopeful we will have an opportunity to fix these problems in negotiations with the Senate.

A TRIBUTE TO MIKE GARRISON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATHAM. Mr. Speaker, I rise to recognize Mike Garrison for his 35 years of service with the Lacona, Iowa Fire Department and subsequent retirement.

At a time when many small communities struggle to find the necessary volunteers, Mike has shown the leadership and commitment to

bettering his community through public service. Mike was presented a plaque recognizing his service from the Lacona Fire Chief, Robert Dittmer, and a potluck dinner and ceremony was held for Mike.

I know that my colleagues in the United States Congress join me in commending Mike Garrison for his many years of loyalty and service in protecting the community of Lacona. It is an immense honor to represent Mike in Congress, and I wish all the best to him as he embarks on this next chapter in life.

EXPRESSING DISAPPOINTMENT
WITH THE DEEP CUTS TO CON-
SERVATION IN THE AGRICUL-
TURAL APPROPRIATIONS BILL

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. KIND. Mr. Speaker, I rise today to express my disappointment in the deep cuts made to conservation programs in H.R. 2112, the Agricultural Appropriations Bill. I represent one of the most productive farming regions in the country, and these cuts will have lasting consequences in my district. As the father of two young children, I am extremely concerned about passing an undue financial burden on to future generations. It is clear to all that sacrifices must be made, but conservation programs that play a vital role in protecting our Nation's lands and waters must be protected, and should not be disproportionately undermined as they have been through the appropriations process.

Conservation programs have in recent years suffered a number of devastating financial blows, which will profoundly affect the ability of farmers to reach our stewardship goals. The 2008 Farm Bill as well as H.R. 1 in the 112th Congress included drastic cuts to flagship programs like CRP and WRP without proportionate cuts to Title I programs. This effectively puts the interests of large agribusiness in front of nutrition and conservation, rather than realizing the need for equal sacrifice by all stakeholders.

Increases in commodity prices have led to farmers feeling pressure to bring sensitive lands back into production, and that means it's going to affect wildlife habitat, highly erodible land with sediment and nutrient flows flowing off and contaminating our water and drinking supply. We are seeing already that CRP enrollment is dropping because farmers are choosing to take that land out of CRP and putting it back into production.

The real, measurable consequences of these actions will be felt in my district and across the country. Fishing, hunting and other types of outdoor recreation generate millions of jobs, primarily in rural counties. Managing farms, ranches and forest lands to create habitat for wildlife—and protecting farmland from sprawl—is critical to rural economic development based upon hunting and fishing. It is estimated that one-third of America's river miles, 45 percent of America's lakes, and 44 percent of America's bays still fail to meet water quality standards. Conservation programs play an important role in alleviating these problems by reducing soil erosion and bolstering natural water filtration, and are in

many ways the last defense against over-exploitation of land and water pollution.

In this bill, the Conservation Stewardship Program, which pays growers to farm more sustainably, is slated to be cut by 171 million dollars. This visionary program rewards past stewardship, but also incentivizes improvements that bring about additional environmental benefits. It is a shining example of the kind of programmatic innovation and forward thinking that should be rewarded by Congress, which makes this reduction in funding particularly disappointing.

Funds for The Wetland Reserve Program (WRP) are also being cut. This program has played a critical role in conserving our Nation's wetlands, and the environmental and economic benefits associated with them. The United States has already lost over half its native wetlands, and continues to lose these crucial habitats at an alarming rate. WRP provides an avenue for farmers to take wetlands, which are normally considered underproductive for farming anyway, out of production so that they may continue to provide habitat and ecosystem services.

Finally, the cuts to conservation programs will be damaging to agriculture and food security. Cutting funds to conservation will put millions of acres of farmland at risk to unplanned development.

I have made conserving our natural heritage one of the hallmarks of my work in Congress, and I cannot stand by and watch these cuts without making my voice heard. While I am concerned about passing on a financial burden to my children, I am also concerned about passing on an environmental burden. Cutting these programs will only cause problems for future generations.

NATIONAL HOMEOWNERSHIP
MONTH

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. HINOJOSA. Mr. Speaker, I rise today in strong support of June 2011 National Homeownership Month.

The most current data show that of 130.7 million homes in the United States, 74.9 million serve as principal residences. Another 37.0 million homes are renter-occupied, and the remaining 18.8 million are either for sale, for rent, or for seasonal use.

Despite the recent economic decline, the people of the United States remain one of the best-housed populations in the world. Owning a home remains a fundamental part of the American dream and the largest personal investment many families will ever make. High homeownership rates help communities through higher property values, lower crime, and higher civic participation. Homeownership promotes a more even distribution of income and wealth, and establishes greater individual financial security. It improves living conditions, which can lead to a healthier population.

Homeownership creates neighborhood stability since owners are more inclined to remain in the community for a longer period of time than renters. It has been proven to increase social and political involvement due to the concern about one's property value. Home-

ownership correlates with lower neighborhood crime. It fosters more responsible behavior among youths in the community, such as higher academic achievement and lower teen pregnancy rates, due to the monitoring mechanism put in place to maintain the attractiveness of a community. Economists have been able to establish that a correlation between homeownership and these positive neighborhood effects does exist.

Improving homeownership opportunities requires the commitment and cooperation of the private, public, and nonprofit sectors, including the Federal Government and State and local governments. It is of the utmost importance that we maintain the mortgage interest deduction and the 30-year fixed rate mortgage as their elimination would damage the availability and cost of mortgage capital for millions of Americans, especially while the housing market recovery remains fragile. The same can be said of the ill-conceived downpayment portion of the "Qualified Residential Mortgages" proposal.

As part of the financial reform legislation, we here in Congress designed a clear framework for improving the quality of mortgage lending and restoring private capital to the housing market. To discourage excessive risk taking, we required securitizers to retain five percent of the credit risk on loans packaged and sold as mortgage securities. However, because across-the-board risk retention would impose significant costs on responsible, creditworthy borrowers, we also created an exemption for "Qualified Residential Mortgages," defined to include mortgages with product features and sound underwriting standards that have been proven to reduce default. Rather than creating a system of penalties to discourage bad lending and incentives for appropriate lending, regulators have developed a rule that is too narrowly drawn. Of particular concern are the provisions of the proposal mandating high downpayments.

The principal barrier to homeownership is accumulating the money needed for downpayment and closing costs. It is estimated that it would take the average American family, living frugally and saving at the current national rate, nearly seven years to save for a 5 percent down payment on a \$200,000 home and more than 10 years to save for 10 percent down.

The regulators' proposal to require a 20 percent downpayment is tantamount to declaring war on homeownership. Only the elite in the United States would be able to afford such a downpayment. The supermajority of residents in Hidalgo County located in my district in Texas would not be able to meet the downpayment requirement, thereby depriving them of the American Dream. Hidalgo County is the second poorest county in the country. 89 percent of my constituents are Hispanic, the poorest of the poor, and tend to operate in a cash society. My constituents already have difficulty meeting current downpayment requirements, much less an even higher, ill-conceived 20 percent downpayment. It has been proven that once my poorest constituents actually own a home, they manage to make the monthly mortgage payments and turn a household into an actual "home."

The proposed qualified residential mortgage definition harms creditworthy borrowers while frustrating housing recovery. It violates congressional intent and makes homeownership more expensive for millions of responsible consumers.