

AIA changed from a first-to-invent to a first-to-file basis for winning the patent. This runs counter to the American principle of a property right to one's ideas.

AIA also put the post-grant challenge process, started in 1999, on steroids. Now anyone, with or without standing, may ask the Patent Trial and Appeal Board to invalidate an issued patent, with a low burden of proof. Infringers, hedge fund sharks or anyone can bring patent holders into double-jeopardy-like patent reexamination in this quasi-judicial administrative setting. Judge Randal Rader has called the PTAB a "patent death squad" because it revokes patents 80 percent of the time.

Courts are making it harder to secure a patent, in rulings like *KSR v. Teleflex*, *Bilski v. Kappos* and *Mayo v. Prometheus*. Judicial rulings have also raised the bar for patent owners to win infringement, in such cases as *Global-Tech Appliances v. SEB*, *Abbott Labs v. Sandoz* and *Quanta Computer v. LG*.

Even if an inventor gets a patent, then proves someone is infringing the patent, courts have put permanent injunction against infringers out of reach under *eBay v. MercExchange*. A patent is supposed to ensure exclusive rights, but if you can't stop infringers from making, using or selling your invention even when you've proven IP theft, where is the private property right to exclusivity?

Agencies like the Federal Trade Commission, myopically fixated on antitrust and unproven theories of patent litigation abuse, miss the core constitutional goal of patents, namely to vest in individual inventors enforceable property rights, which include the right to sell or license that intellectual property. The FTC's recent "study" of certain patent assertion entities, or PAEs, paints with such a broad brush; it sheds little light on this area of patent litigation.

The FTC lacks sufficient data to draw conclusions, especially with an unrepresentative sample of 22 firms and no data on the potentially abusive practices of large infringers. Making sweeping policy recommendations on such a thin foundation only picks sides in a manner that hurts inventors who have no interest in setting up manufacturing plants and threatens property rights, including the right to buy or license IP.

Meanwhile, countries like China, South Korea and Taiwan take advantage of the FTC's and U.S. Justice Department's efforts to weaken the rights and remedies of American patent owners.

These foreign governments enable their countries' businesses' theft of U.S. IP. How? By depriving American firms of due process, equating exclusive patent rights with "anticompetitiveness," and running judicial proceedings based on predetermined outcomes favoring domestic players, rather than the rule of law.

In Federalist 43, Madison explained that the right to inventions belongs to their inventors, and "the claims of individuals" to their IP rights "fully [coincide]" with the "public good." The exclusive property right benefits society while inventors enjoy the fruits of their creativity. It worked exceptionally well for about 200 years.

But today, our property rights-centered patent regime is shifting. These changes to America's once-world-class patent system must be reversed and our course righted if we

are to continue as the world leader in invention and creation of new wealth.

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HONORING MARCUS FAUMUI

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2016*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Marcus Faumui, whom I have named a 2016 Public Safety Hero of the Year for Contra Costa County in California's 5th Congressional District. This award is given to exceptional members of our community who perform beyond their duty as a public servant.

A native of Richmond, California, Mr. Faumui attended Contra Costa College and Los Medanos College, where he earned his A.S. in Fire Technology. He then graduated from the top of his academy class and joined the Rodeo-Hercules Fire Department, where he has made a tremendous impact in a short time.

Mr. Faumui is one of the youngest firefighters at the department, but has quickly gained the respect of his peers and community with his positive attitude and willingness to contribute in any way possible. At the department, Mr. Faumui serves as the incident photographer and collects evidence used in the peer review process. He also shares his experience as a volunteer trainer at the Los Medanos College Fire Academy and oversees the school education programs for Rodeo and Hercules students.

Mr. Speaker, I thank Mr. Faumui for his dedication to our community's safety. For this reason, it is fitting and proper that I honor him here today.

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HONORING HUGH EVANS

**HON. CATHY McMORRIS RODGERS**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2016*

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to honor the life and memory of Hugh Evans, whose body will soon be interred at Arlington National Cemetery.

Hugh was a decorated veteran for his courage during the Vietnam War, receiving three Purple Hearts, a Bronze Star, and a Silver Star. After hearing his remarkable story, it's clear why. In 1968 he led a platoon through gunfire and across a mine-filled road to provide reinforcements to his fellow troops. Later that year, he was shot in each arm while directing artillery fire at a hidden enemy base camp amid gunfire and grenades. Hugh showed bravery in the face of danger, and a gentle, humble spirit around all who knew him.

After the war, Hugh had a fulfilling career as an attorney in Spokane, finding joy in his free time outdoors and with his family and his constantly growing list of friends. Hugh passed away in March, and his presence is sorely missed.

INTRODUCING THE STOP ARMING  
TERRORISTS ACT OF 2016

**HON. TULSI GABBARD**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2016*

Ms. GABBARD. Mr. Speaker, under U.S. law it is illegal for any American to provide money or assistance to al Qaeda, ISIS or other terrorist groups. If you or I gave money, weapons or support to al-Qaeda or ISIS, we would be thrown in jail.

Yet the U.S. government has been violating this law for years, quietly supporting allies and partners of al Qaeda, ISIL, Jabhat Fateh al Sham and other terrorist groups with money, weapons, and intelligence support, in their fight to overthrow the Syrian government.

The CIA has also been funneling weapons and money through Saudi Arabia, Turkey, Qatar and others who provide direct and indirect support to groups like ISIS and al-Qaeda. This support has allowed al-Qaeda and their fellow terrorist organizations to establish strongholds throughout Syria, including in Aleppo.

A recent New York Times article confirmed that "rebel groups" supported by the U.S. "have entered into battlefield alliances with the affiliate of al-Qaeda in Syria, formerly known as Al Nusra." This alliance has rendered the phrase "moderate rebels" meaningless.

Reports confirm that "every armed anti-Assad organization unit in those provinces [of Idlib and Aleppo] is engaged in a military structure controlled by [al-Qaeda's] Nusra militants."

A recent Wall Street Journal article reported that many rebel groups are "doubling down on their alliance" with al Nusra. Some rebel groups are renewing their alliance, while others, like Nour al-Din al-Zinki, a former CIA-backed group and one of the largest factions in Aleppo, are joining for the first time.

"The Syria Conquest Front—formerly known as the al Qaeda-linked Nusra Front—is deeply intermingled with armed opposition groups of all stripes across Syria's battlefields."

The CIA has long been supporting a group called Fursan al Haqq, providing them with salaries, weapons and support, including surface to air missiles. This group is cooperating with and fighting alongside an al-Qaeda affiliated group trying to overthrow the Syrian government.

The Levant Front is another so-called moderate umbrella group of Syrian opposition fighters. Over the past year, the United States has been working with Turkey to give this group intelligence support and other forms of military assistance. This group has joined forces with al-Qaeda's offshoot group in Syria.

This madness must end. We must stop arming terrorists. The Government must end this hypocrisy and abide by the same laws that apply to its' citizens.

That is why I've introduced the Stop Arming Terrorists bill—legislation based on congressional action during the Iran-Contra affair to stop the CIA's illegal arming of rebels in Nicaragua.

It will prohibit any Federal agency from using taxpayer dollars to provide weapons, cash, intelligence, or any support to al Qaeda, ISIS and other terrorist groups, and it will prohibit the government from funneling money

and weapons through other countries who are directly or indirectly supporting terrorists.

IN HONOR OF THE 25TH ANNIVERSARY OF THE EAST SIXTIES NEIGHBORHOOD ASSOCIATION

TRIBUTE TO BRONX LEBANON HOSPITAL—MARTIN LUTHER KING, JR. DIASPORA CLINIC

IN RECOGNITION OF HENRY WIRZ

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2016*

Ms. MATSUI. Mr. Speaker, I rise today to recognize Henry Wirz as he retires after thirty-six years of service to SAFE Credit Union. As his family, friends and colleagues gather to celebrate his long list of accomplishments, I ask my colleagues to join me in honoring this great individual who has served and contributed so much to the Sacramento Region.

Graduating from the MBA program at UC Berkeley, Mr. Wirz started his career at a CPA firm before joining SAFE Credit Union, a not-for-profit, community-chartered credit union with membership open to businesses and individuals. Upon joining SAFE, he quickly moved up the ranks and after five years took over the reigns as CEO, staying in that role for the last thirty-one years. Under his leadership, SAFE Credit Union has grown and flourished. Embracing new ideas and technologies, SAFE Credit Union is now the second largest credit union in the Sacramento Region. It started with four branches, but has since grown to twenty-one service centers across twelve Northern California counties. SAFE's workforce has grown from 130 employees to close to 600. Over his entire career, Mr. Wirz has worked tirelessly for the more than 190,000 members of SAFE, and his efforts are a major reason why the credit union is such a pillar in our region.

In addition to his work at SAFE Credit Union, Mr. Wirz is involved in many philanthropic efforts to benefit our community. He is a champion to end homelessness, a supporter of educational programs, and an innovator of the first degree. He has inspired SAFE Credit Union members and employees to volunteer endless time to our community. Mr. Wirz is a Past Chairman of KVIE Channel 6; a Trustee of the University of California, Davis Foundation; a Trustee of the RCA Fund of the Sacramento Regional Foundation; and Chairman of the Board of Sacramento Community Foundation. He has served on the Twin Rivers Unified School District Advisor Board, the NextEd Board, and the City Year Sacramento Board. Although he will be greatly missed from the day-to-day operations at SAFE Credit Union, Mr. Wirz will remain involved in our community.

Mr. Speaker, as Mr. Wirz and his family, friends and colleagues gather to celebrate his retirement, I am pleased to honor and recognize him for his hard work and dedication to making Sacramento a better place for all to live. I ask my colleagues to join me in wishing him the best in retirement and thanking him for his contributions to the Sacramento Region.

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2016*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to recognize the 25th anniversary of the East Sixties Neighborhood Association (ESNA). For the last quarter century, ESNA has had an extraordinary impact on the quality of life of residents of the East 60s.

ESNA was founded in the summer of 1991 to ensure that residents had a say in decisions that were being made in their neighborhood. The idea for ESNA came about because of a proposal to turn a vacant lot on the corner of 63rd Street and Second Avenue owned by the Metropolitan Transportation Authority to a parking lot. A parking lot would have attracted more traffic to one of New York City's busiest intersections. Instead, the founders, Barry and Judy Schneider and Neil and Judy McLennan, were able to persuade the owner to lease the property to an alternative tenant that was more acceptable to the community.

Over the last 25 years, ESNA has grown into an influential organization with a committed group of community volunteers. ESNA's catchment area includes the area from East 60th to East 69th Street from the East Side of Third Avenue to the East River, and is home to more than 35,000 New Yorkers. Today, ESNA's many committees all work together to make the community a better place to live. ESNA volunteers help prune street trees, promote recycling, remove graffiti from city property, and monitor neighborhood conditions on the streets, alerting the city to sanitation conditions, traffic and noise. ESNA also encourages community spirit through a number of social events and caroling during Christmas.

One of ESNA's current concerns has been the East Side Access project (ESA), which will bring the Long Island Rail Road into Grand Central Terminal. Some of the construction work related to ESA is in ESNA's catchment area. ESNA worked with the MTA to minimize the impact on local businesses and residents. Similarly, one of the stations for the Second Avenue Subway is being built in the ESNA area, and ESNA helped alleviate construction impact while continuing to support the development of a subway that will provide much needed transportation alternatives to the area.

New York is a city of neighborhoods. Local groups like ESNA make it possible for residents to come together as a community and have a profound impact on the quality of life in their neighborhood. I applaud ESNA for helping to create a real feeling of community in one of New York's most dense urban neighborhoods and for ensuring that community concerns are considered when decisions are being made.

Mr. Speaker, I ask my colleagues to join me in celebrating the 25th anniversary of ESNA and its immeasurable contributions to the East 60s and New York City at large.

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2016*

Mr. SERRANO. Mr. Speaker, it is with great pleasure and admiration that I stand before you today to honor the Bronx Lebanon Hospital—Martin Luther King, Jr. Center for their years of tireless work to improve the lives of our community, especially the African Diaspora.

Prior to the Diaspora Clinic being opened June 12, 2012, the primary care staff at the Bronx Lebanon Hospital Center and the Dr. Martin Luther King, Jr. Health Centers found that many patients who speak minority languages ended up in emergency rooms. The Diaspora Clinic at the Dr. Martin Luther King, Jr. Health Center on 1265 Franklin Avenue, Bronx, New York was first conceptualized to break down the myriad barriers between doctors and immigrant patients, and it was opened specifically for the growing African immigrant population in the Bronx. The Diaspora clinic focuses on providing culturally sensitive services, including health education, prevention, maternal/child health care, chronic disease, dental care, and HIV counseling. Thus far, the Diaspora clinic has had more than 15,000 visits to date.

The Dr. Martin Luther King, Jr. Health Center has staff members who speak several of the African languages and dialects and very often they act as cultural ambassadors who help bridge the trust between the Diaspora patients and the medical system. The Clinic has reached out to the West African population by way of direct visits to mosques and churches; participated in their radio programs; and also organized and participated in numerous health fairs and community events because they wanted to emphasize the need for primary health care to this community. As recently as October 15, 2016, the Center hosted several Imams from Togo, Senegal, Ghana, Guinea and Gambia communities; a leading Ghanaian pastor, Mr. Benjamin Boakye, the Gambian Ambassador to the United Nations, Dr. Mamadou Tangara, and more than two hundred and fifty adults and kids from the West African community participate in the second Dr. Martin Luther King, Jr. Diaspora Health Fair, and they were treated to giveaways, free screenings for blood pressure and diabetes.

During the Diaspora clinic hours, the clinic has a social work assistant who is responsible for ensuring that the concrete services needs of these patients are met, and the social work assistant and the registrars also make sure that the unemployed, undocumented or temporary residents benefit from paying little or no cost via Charity Care. Many "Diaspora" patients now visit the clinic regularly for appointments with our Internists, but many of these patients have also been incorporated into the clinic's regular operating hours.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring the Bronx Lebanon—Martin Luther King, Jr. Health Center for their consistently remarkable dedication to the health and wellness of our community, especially for the African community.