

HONORING ST. GEORGE SERBIAN  
ORTHODOX CHURCH

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. LEE. Mr. Speaker, I rise today to honor and celebrate the 75th Anniversary of the St. George Serbian Orthodox Church in Oakland, California.

During World War I, many Europeans, including Serbians, faced the unspeakable horrors of war. Some were fortunate to escape a world of intolerance and hatred. It isn't surprising that many Serbians came to the United States, a symbol of hope and freedom, in search of a better life and future for themselves and their children.

New to the San Francisco Bay Area, Serbian men and women valued a strong sense of community and continued and maintain the Orthodox faith, Serbian language and culture. They affiliated themselves with the central office in Sarajevo, Bosnia, and their constant communication enabled them to maintain a connection to their homeland.

The leaders of Oakland's Serbian community understood the need to retain cultural traditions and Serbia's history as a nation, particularly since many young Serbian children were immersed in popular American culture. In an effort to preserve and pass on the rich Serbian culture and history to future generations, a local school was established for Serbians. This school was named the Serbian Society of Education in Oakland.

On February 29, 1924, the Society sought to purchase a piece of church property in order to realize their mission to retain and further cultivate their orthodoxy. This church was named the St. George Serbian Orthodox Church.

For over seventy-five years, St. George has been the home for Serbian families, immigrants and refugees. The Church and its members also formed the Saint George Athletic Club, Women's Auxiliary and St. George's Church Choir. These groups are regarded for their contributions to social campaigns and political activism.

The St. George Serbian Orthodox Church encourages and nurtures love and peace among its members and instills a strong sense of family in our community. Today I stand with Oakland's Serbian community as we celebrate 75 years of service to the community by St. George Serbian Orthodox Church. We honor their rich history and strong faith and trust in God. May St. George continue to kindly lead its members in the spirit of peace, love and equality.

IN HONOR OF THE CHILDREN'S  
DISCOVERY MUSEUM

**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. HONDA. Mr. Speaker, I rise today to honor the Children's Discovery Museum of San Jose for being awarded the 2001 National Award for Museum Service, as announced in Washington DC on Monday, September 17, 2001.

The Institute of Museum and Library Services, a Federal agency, annually presents the National Awards for Museum and Library Services, honoring three museums and three libraries that demonstrate extraordinary service to their communities. Recipients have innovative approaches to public programming, reaching beyond the expected levels of community outreach and traditional services. These awards are presented by the First Lady to demonstrate the level at which these institutions are enriching lives and connecting people to one another and to the world.

In receiving this award, the Children's Discovery Museum of San Jose joins just 21 museums in the Nation which have been bestowed this honor since its inception in 1994. The Children's Discovery Museum is the only museum in California to receive this prestigious award, clearly demonstrating San Jose's leadership in creating cultural resources that truly enrich the learning and lives of its children, families and schools.

This award establishes San Jose's beloved "purple" museum for children as a premier institution in the Nation and as a leader in the museum and library service fields. It honors the community of San Jose, which deeply cherishes and supports the Museum's services, and inspires the dedicated and talented Museum staff to continue their work in creating bright futures for the children of San Jose.

JOB WELL DONE

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. MATSUI. Mr. Speaker, I rise today to express my sincere appreciation for the tremendous job that the Chairman of the Energy and Water Appropriations Subcommittee Representative SONNY CALLAHAN and Ranking Member, Representative PETER VISCLOSKEY, and the conferees have done in preparing the FY 2001 Energy and Water Appropriations Conference Report. Congress is certainly no stranger to the constant public safety threat that potential floods pose to my constituents and I am most thankful for the continued support of this body in helping to greatly reduce these risks. Thanks to your efforts and the efforts of this Committee, Sacramento remains on track with providing improved flood protection.

Sacramento's immediate flood risk consistently ranks highest among major metropolitan areas in this nation. A catastrophic flood in Sacramento would impact \$40 billion of property, including the California State Capitol, six major hospitals, 26 nursing home facilities, over 100 schools, 3 major freeway systems, and approximately 160,000 homes or apartments. As Congress continues to determine the best long-term solution, I remain grateful that this year's conference report is consistent with capability estimates developed by the Army Corps of Engineers and the Sacramento Area Flood Control Agency.

While this legislation provides continued funding for a number of crucial flood protection projects, I am particularly grateful for the inclusion of construction funds for the South Sacramento Streams Project. This "new start" is

of vital importance as the 100,000 people and 41,000 structures that reside in this area are extremely susceptible to devastating floods. These funds will enable this area to eventually increase its woefully inadequate 50-year protection level to an acceptable 500-year protection level.

Increasing Sacramento's mere 85-year level of protection is a daunting task, but the support of my colleagues to protect my constituents has been unwavering and strong. Time and again, the federal commitment has risen to the occasion. On behalf of my constituents, and myself I thank you for recognizing the grave danger that Sacramento faces and acting to alleviate those threats.

REGARDING H.R. 3204, THE "INTELLECTUAL PROPERTY PROTECTION RESTORATION ACT OF 2001"

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. COBLE. Mr. Speaker, today Representative HOWARD BERMAN and I are introducing H.R. 3204, the "Intellectual Property Protection Restoration Act of 2001." Senator LEAHY is also introducing the same legislation in the Senate today. This important legislation takes a balanced and minimal approach to solving the complex problem of preventing the individual States from infringing intellectual property with impunity. This bill simply prevents the award of damages for infringement of intellectual property owned by a State if that State has not waived its immunity under the Eleventh Amendment. Currently, private parties are unable to sue and receive damages for infringement by States. H.R. 3204 will level the playing field without curtailing States' rights. It is my hope that H.R. 3204 will be enacted into law during the 107th Congress.

Finally, Mr. Speaker, on July 27, 2000, in the 106th Congress, the Subcommittee on Courts and Intellectual Property held a hearing on this issue. My statement from that hearing is included below.

STATEMENT OF HON. HOWARD COBLE, CHAIRMAN, SUBCOMMITTEE ON COURTS AND INTELLECTUAL PROPERTY REGARDING STATE SOVEREIGN IMMUNITY AND PROTECTION OF INTELLECTUAL PROPERTY

Good Morning. The Subcommittee will come to order. Today, we will discuss state sovereign immunity and protection of intellectual property.

To the great benefit of the United States, the authors of the Constitution understood how the creative arts and sciences would be valuable to the American people, both financially and culturally. The Constitution gives Congress the power to enact laws that give authors and inventors rights in their respective creations for a limited time. Congress has enacted such laws since 1790, resulting in the development of American intellectual property that is the envy of the world. It is one of the top U.S. exports, generates billions of dollars in revenue, creates jobs, and enriches the lives of the American people and the world.

Since the enactment of the first intellectual property laws, it was universally understood that these laws applied to the states, which would be subject to suit in federal court for damages resulting from infringement. Historically, Congress assumed its Article I powers enabled it to abrogate states

sovereign immunity under the 11th Amendment. However, after the Supreme Court ruled that the intent to abrogate based on Article I must be explicitly evident in the relevant statute, some district courts held that the 1976 Copyright Act did not effectively abrogate state sovereign immunity.

To close this loophole, Congress enacted three laws between 1990 and 1992 to abrogate state sovereign immunity: the Copyright Remedy Clarification Act; the Patent and Plant Variety Protection Remedy Clarification Act; and the Trademark Remedy Clarification Act.

In 1993, the Copyright Remedy Clarification Act was challenged. Before the 5th Circuit made a final ruling, the Supreme Court handed down several decisions that had a direct impact on the case. In *Seminole Tribe of Florida v. Florida*, the Court overruled previous case law and held that Congress could not use its Article I powers to abrogate state sovereign immunity. In *Florida Prepaid Postsecondary Education Expense Board v. College Savings Bank*, the Court voided the Patent and Plant Variety Protection Remedy Clarification Act. While the Court held that abrogation was possible under the Enforcement Clause of the 14th Amendment, the Act was not a proper exercise of that power. Finally, in *College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board*, the Court voided the Trademark Remedy Clarification Act to the extent it abrogated state immunity with regard to false advertising claims. Based on these rulings, the 5th Circuit subsequently held that the Copyright Remedy Clarification Act was unconstitutional.

The import of these decisions is very serious for intellectual property owners, since states now have the ability to infringe copyrights, patents, and trademarks with impunity. These potential infringements add up to millions of dollars of lost revenue to intellectual property owners. Adding to the unfairness of the situation is the fact that states can and do own copyrights, patents, and trademarks. A state may bring an infringement suit in federal court against a private individual but a private individual may not sue that state for the same transgression. This result creates an uneven playing field and otherwise conflicts with the spirit of Article 1, Section 8 of the Constitution.

In conclusion, this hearing is not intended to focus on a definitive solution to this problem, rather, it represents the first step in doing so. The hearing is intended to educate the Subcommittee about this important issue: its background, the implications of current case law on the subject, and those efforts to find a solution to the problem of consistently protecting intellectual property rights in a constitutionally permissible manner.

HONORING JAN C. MENNIG

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Jan C. Mennig for his extensive career in public service. Mr. Mennig has decided to retire after serving in many capacities in the public and private sectors.

Mennig has a notable educational background. He graduated with honors from the University of Southern California with a degree in Public Administration. He went on to earn

his M.S. and Ph.D. degrees. He also completed many advanced courses while a Colonel in the United States Army Reserve. Mennig is a U.S. Army Certified Logistician and received an Honorary Doctor of Laws Degree from August Vollmer University.

While living in Southern California, Mr. Mennig served as Assistant Chief and Chief of Police in the Culver City Police Department for over twenty years. While in Culver City, he served on many boards, including the Executive Committee for the California Police Chiefs Association and the Los Angeles County Regional Criminal Justice Planning Board. Mennig also served as President of the Culver City Lions Club and Chairman of the Board of Culver Palms Family YMCA.

In 1987, Mennig retired from the Culver City Police Department and the U.S. Army Reserve and moved to Mariposa, California. Since relocating to Mariposa, Mr. Mennig has served in many positions, including President of the Mariposa Wine Grape Growers Association and as a member of the Mental Health Board of Mariposa County. Mr. Mennig retired as the Executive Director of the Mariposa County Chamber of Commerce on June 30, 2001.

Mr. Speaker, I wish to congratulate Jan C. Mennig for his extensive career as a public servant. I urge my colleagues to join me in wishing Jan C. Mennig a happy retirement and continued success.

#### THE WORLD OF AFGHAN WOMEN

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. CUMMINGS. Mr. Speaker, imagine a world where you are: banned from revealing any skin and are required to be fully covered even in stifling heat; and banned from wearing white shoes because it is the color of your nation's flag; or shoes that are high heels because they may make noise.

Imagine a world where you are: unable to leave your home without permission; and where working and gaining education are illegal.

Imagine a world where a woman is: banned from men-only hospitals, even in the severest of medical emergencies and the hospitals that are available have no oxygen, clean water, intravenous equipment, medicine, or x-ray machines.

Imagine a world where: you attend a sporting event but cannot display any emotion and may experience the interruption of the event for the purpose of a "public execution" of a woman; possibly carried out by her own family member and witnessed by her children and other children in attendance.

Finally, imagine a world where: it is taboo to read the religious book that is used to set these rules.

For some people this is not an imaginary world. For Afghan woman this is their reality. Women in Afghanistan have suffered an assault on their human rights during more than 20 years of war and under the repressive rule of the Taliban, which emerged as a military force in 1994 and declared itself the government of Afghanistan.

Taliban decrees have basically restricted women in all aspects of their lives. These re-

strictions are religiously and institutionally sanctioned and include: (a) Dress codes; (b) prohibitions against work and education; and (c) various acts of violence against women. In fact, violence against women in Afghanistan has reached pandemic proportions. Women and girls are systematically subjected to rape, kidnapping, forced marriage or prostitution. As expected, the mental health of these women has severely deteriorated and some have committed suicide.

Many women were educated before the Taliban took power and they represented 70 percent of all teachers, 50 percent of civil servants, and 40 percent of medical doctors. These same women can no longer practice their trades or work at all and have been basically relegated to non human status.

I am sure it is difficult for many Americans to imagine the existence of these women. But we must attempt to understand their pain. America is a land that stands for justice and human rights and as the leaders of this great nation, I ask my colleagues to be committed to maintaining these principles in our nation and around the world. We must work to safeguard women's human rights and ensure that individuals, terrorist groups, government forces and armed groups are prevented from committing human rights violations. That is why I commend my colleague in organizing this Special Order to bring this grave and serious issue to light.

September 11, 2001 has changed all of our lives. We are fighting a war against terrorism and in defense of our homeland. However, we must remember that terrorism comes in various forms and includes violations of human rights. The Afghan women are currently being terrorized by the Taliban. It is my hope that, as we fight this war we are not only fighting against the Taliban because they may harbor terrorists, but also because their restrictions and atrocities against women in Afghanistan are, in fact, terrorist acts.

It is my hope that we will one day be able to imagine a world where Afghan women are able to live freely as first class citizens of a progressively democratic society, a world where we are free of terrorism, and a world where peace is the norm. I urge my colleagues and the international community to unite towards this goal and make it a reality.

CONGRATULATING GUAM LITTLE LEAGUE AND GUAM SENIOR LEAGUE ALL STARS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. UNDERWOOD. Mr. Speaker, as this year's baseball season comes to a close, I would be remiss if I failed to make mention of the accomplishments of a number of impressive young individuals from Guam. This year Guam's Little League and Senior League competed in the World Series tournaments of their respective leagues. Guam's Little League All Stars finished third in the annual tournament held in Williamsport, Pennsylvania while their Senior League counterparts finished fourth in the tournament held at Kissimmee, Florida. Both tournaments were held last August.

After winning the Guam Major Little League All-Island Tournament, Guam's Central Little