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 flags; 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 restrictions 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 systemically subjected to rape, kidnaping, 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