independence as a nation on October 25, 2001. This important occasion highlights Kazakstan's economic, political, and cultural growth over the past decade. In light of the many difficulties facing the people of Kazakstan following the collapse of the Soviet Union, this resourceful nation of over fourteen million people has persevered by overcoming numerous obstacles to emerge as one of Central Asia's most dynamic nations.

As the people of Kazakstan continue the process of building their nation on the foundation of democracy and economic liberalization, they should know that the United States will be there to assist them in their efforts. Following the barbaric attacks on the United States on September 11, 2001, the government of Kazakstan immediately offered its unconditional assistance to the United States in our fight against the international scourge of terrorism. Their heartfelt support for the American people in our greatest time of need has only served to strengthen United States-Kazakstan relations.

The future success of a democratic and free Republic of Kazakstan will directly benefit the United States by helping to create stability and increased prosperity in the Central Asian region. Many of the nefarious international terrorist organizations, like al Qaeda, that seek to inflict harm on the United States and our allies are also trying to destabilize Central Asian nations like Kazakstan. The United States and the international community must not miss this opportunity to assist Kazakstan as she takes courageous steps to build a democratic society with an open market economy in a region of the world that is rife with terrorism and discord.

Fortunately, Kazakstan has brought much needed stability to the region. As a moderate and tolerant Muslim nation, Kazakstan, has already joined like-minded nations in Central Asia and the Middle East in opposing the use of Islam for terrorist purposes. As Kazakstan's President Nursultan Nazarbayev said on October 24th before the eighth session of the Assembly of the Peoples of Kazakstan, ''In the current situation, it is more important to separate Islam from terrorism. The terrorists whatever slogans they use have nothing in common with Islam, its basic commandments, including non-violence, justice, tolerance and equity.''

Mr. Speaker, I wish the people and government of the Republic of Kazakstan the best success as they build on their impressive accomplishments of the past decade. As a Member of the House International Relations Committee, I join many Americans in celebrating the tenth year of Kazakstan's independence and look forward to increased cooperation and relations with this emerging Central Asian nation.

COMMENDING THE JEFFERSON COUNTY POLICE DEPARTMENT

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mrs. NORTHUP. Mr. Speaker, I rise today to commend the hard work and dedication of the Jefferson County Police Department as they received the 2001 ''Civil Rights Award for Racial Profiling'' from the International Association of Chiefs of Police.

The Jefferson County Police Department has served as an outstanding example to our community and the rest of Kentucky as they have fought to make Louisville a safe and secure environment. With the help of new In-Car Video cameras, made possible by the generosity and confidence of this Congress, the police officers of Jefferson County have carried out their duties faithfully and reliably and have earned the international recognition they were awarded yesterday in Toronto, Ontario.

While In-Car Video Cameras have truly enhanced the police work conducted in Jefferson County, cameras were only the first step. It has been the diligent work of Chief Carcara and his department that has improved overall cooperation between the police and the community. They have implemented a proactive program that has successfully sought to reduce civil rights violations while promoting public trust and confidence in policing. Their efforts have even been recognized by the local paper, the Louisville Courier-Journal, stating, ''The willingness of the Jefferson County police department to monitor itself for evidence of racial profiling is heartening . . .''

Now more than ever, it is important that we, as a Congress and as a nation, recognize and applaud the efforts of local police departments, such as that in Jefferson County, who work tirelessly every hour of every day to make our communities as safe as possible. As our nation strives to define a new ''normal'' and seeks ways to cope with the tragedies that have befallen us in the last two months, we must remember and commend those who choose to spend their lives protecting all Americans. They are the true heroes, and deserve our unbridled gratification.

Thank you, Jefferson County Police Department, for all you do for our community. You have earned this award, as well as our trust and gratitude.

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

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. BERMAN. Mr. Speaker, today, I join Representative COBLE in introducing the Intellectual Property Protection Restoration Act of 2001. Introduction of this legislation coincides with introduction of a companion bill in the Senate by our distinguished colleague, Senator PATRICK LEAHY. These bills will rectify a serious inequity in intellectual property protection resulting from recent Supreme Court decisions.

These recent decisions held that, under the Eleventh Amendment of the United States Constitution, states have sovereign immunity in state and federal courts against money damages suits for intellectual property infringements. The Supreme Court came to this conclusion despite unequivocal Congressional intent to abrogate state sovereign immunity through enactment of the Copyright Remedy Clarification Act (CRCA), Patent Remedy Act (PRA), and Trademark Remedy Clarification Act (TRCA) in 1992.

While immune from suit for money damages when they infringe the intellectual property rights of others, states can still secure protection for their own patents, copyrights, and trademarks under federal law, and can sue infringers of their rights for money damages. I believe it is a serious inequity to allow a State to sue infringers of its intellectual property rights when the State itself can infringe the rights of others with impunity.

Last month, the GAO released a study entitled ''Intellectual Property: State Immunity in Infringement Actions.'' This report provides strong evidence of the need for the legislation we introduce today.

Since 1985, at least 58 intellectual property lawsuits have been brought with a State as one of the defendants, and a larger number have been settled out of court. It is important to note that when these suits occurred, it was largely assumed, or explicitly mandated in federal law, that states were subject to suit for intellectual property infringement. While I do not believe states will become rampant, willful infringers as a result of the recent Supreme Court decisions, it is reasonable to assume that the incidence of State infringements will increase. Conversely, the dramatically growing patent, copyright, and trademark portfolios of State entities foretell a corresponding increase in intellectual property suits brought by States. In other words, the facts indicate that the inequity will increase as time progresses unless Congress takes action.

As I noted, Congress previously passed legislation to correct the inequity created by State immunity from suit for intellectual property infringements, and the Supreme Court struck down these Acts on constitutional grounds. The legislation my colleagues and I introduce today represents a well-considered attempt to correct the identified inequity in a constitutionally permissible manner.

Senator LEAHY, Chairman of the Senate Judiciary Committee, and his staff deserve the greatest measure of credit for their hard work in developing this legislation. Also deserving credit are the many constitutional scholars, policy advocates, and government agencies that contributed their time, thoughts, and drafting talents to this effort.

I am pleased that a consensus emerged among the various collaborators in support of the ''waiver'' approach embodied in the legislation. During a hearing before the House Judiciary Subcommittee on Courts and Intellectual Property last summer, I opined that the ''waiver'' approach appeared the best mechanism to rectify the inequity in our intellectual property laws. By creating a ''waiver'' requirement—that is, requiring a State to waive its sovereign immunity from suits for intellectual property infringement in order to secure the ability to bring such suits itself—we avoid constitutional pitfalls and still manage to create an even playing field for all intellectual property owners.

Though we developed this bill in a highly collaborative and deliberative manner, I by no means maintain that it is a ''perfect'' solution.