

1807(a)(4), strike "15 percent" and insert "20 nor more than 35 percent".

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE FOR BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 26, 2005, at 10 a.m., to conduct a hearing on "An Update on Money Services Businesses Under Bank Secrecy and USA Patriot Regulation."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet on Tuesday, April 26, 2005, at 10 a.m. on the nominations of Maria Cino to be the Deputy Secretary of Transportation, and Phyllis Scheinberg to be Assistant Secretary of Transportation for Budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet on Tuesday, April 26, 2005, at 2:30 p.m. on the Transportation Security Administration's FY2006 Budget and pending nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 26, at 10 a.m. in Room SD-366.

The purpose of the hearing is to receive testimony regarding the status of the Department of Energy's Nuclear Power 2010 Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FINANCE**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of Tuesday, April 26, 2005, at 10 a.m., to hear testimony on "Proposals To Achieve Sustainable Solvency, With and Without Personal Accounts."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 26, 2005 at 9:30 a.m. to hold a hearing on the Millennium Challenge Corporation.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Retirement Security and Aging, be authorized to hold a hearing during the session of the Senate on Tuesday, April 26, 2005 at 10 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "A Bill to create a Fair and Efficient System to Resolve Claims of Victims for Bodily Injury Caused by Asbestos Exposure, and for other Purposes" on Tuesday, April 26, 2005 at 9:30 a.m., in Russell Senate Office Building, Room 325.

Panel I: The Honorable Judge Becker.

Panel II: The Honorable John Engler, National Association of Manufacturing, Washington, DC.; Mr. Craig Berrington, General Counsel, American Insurance Association, Washington, DC.; Ms. Peg Seminario, Director, AFL-CIO, Washington, DC.; Ms. Carol Morgan, President and General Counsel, National Service Industries, Inc.; Doraville, GA; Mr. Hershel W. Gober, National Legislative Director, Military Order of the Purple Heart, McLean, VA; Dr. Francine Rabinovitz, Hamilton, Rabinovitz & Alschuler, Carmel, CA; Mr. Mark A. Peterson, President, Legal Analysis Systems, Inc., Thousand Oaks, CA; Prof. Eric D. Green, Boston University Law School, Boston, MA.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON VETERANS' AFFAIRS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, April 26, 2005, to mark up the nomination of Mr. Jonathan B. Perlin to be Under Secretary for Health, Department of Veterans' Affairs.

The meeting will take place in room S 216 (the President's Room) of the Capitol at 11:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 26, 2005 at 2:30 p.m., to hold a briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and For-

ests be authorized to meet during the session of the Senate on Tuesday, April 26, 2005 at 2:30 p.m., in room SD-366.

The purpose of the hearing is to review the preparedness of the Departments of Agriculture and the Interior for the 2005 Wildfire Season, including agencies' assessment of the risk of fires by region, the status of and contracting for aerial fire suppression assets, and other information needed to better understand the agencies' ability to deal with the upcoming fire season.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGE OF THE FLOOR**

Mr. INHOFE. Mr. President, I ask unanimous consent that the privilege of the floor be afforded Mr. Richard Steinmann, a detailee from the Federal Transit Administration, for the duration of the consideration of the surface transportation reauthorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that the following staff members of the Joint Committee on Taxation on a list that I send to the desk be given the privilege of the floor for the duration of the deliberation of the Highway Reauthorization and Excise Simplification Act of 2005, provided that no more than four from the list occupy the floor at any given time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

- Yin, George K., Barthold, Thomas A., Bloyer, John, Clay, Gordon M., Corcoran, Sean M., Flax, Nikole C., Hirsch, Harold E., Lenter, David L., Matthews, Laurie A., McMullen, Debra L., Means, Kristine M., Nega, Joseph W., Rock, Cecily W., Thomas, Melvin C., Wielobob, Allison E., Schmitt, Bernard A., Beeman, E. Ray, Bornholdt, Gary W., Colinvauz, Roger, Fisher, Tara Z., Fontenot, Gray C., James, Deirdre, Littman, Allen J., McDermott, Patricia, McMullen, Neval E., Navratil, John F., Noren, David G., Smith, Carolyn E., Way, Kashi.

**EXPRESSING SENSE OF CONGRESS ON WORLD INTELLECTUAL PROPERTY DAY**

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Con. Res. 28, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res 28) expressing the sense of Congress on World Intellectual Property Day regarding the importance of protecting intellectual property rights globally.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LUGAR. Mr. President, today, on World Intellectual Property Day, I rise in support of a resolution I have submitted recognizing the importance of

protecting intellectual property. One of the key benefits of protecting intellectual property is preserving innovation. Only with enforcement of protections will there be incentives for inventors to create and protect their innovations. As the sharing of goods and ideas transcends national boundaries, it is vital that these protections be able to accompany the ideas that they protect globally.

Although most of our trading partners have national domestic laws protecting intellectual property piracy and are even parties to agreements which contain intellectual property protections, piracy continues largely due to lack of enforcement. Theft of intellectual property results in competitive disadvantages to U.S. industries and job loss for American workers.

Counterfeiting and digital piracy have increased dramatically in recent years. In addition to the direct impact on the sales and profits of the subject industries, there is also significant harm and deception to consumers who believe they are purchasing legal and legitimate goods. Piracy and counterfeiting of copyrighted products in digital and other formats have grown to an enormous scale because these illegal activities offer a high rate of return with minimal risk to the criminal producing element. This element can conduct piracy with little capital investment, and in many countries, little chance of apprehension. Even if apprehended, the penalties may be so minor that they offer no deterrent.

There are various agreements between nations implemented at different levels for the protection of intellectual property. One of these is part of the World Trade Organization, WTO, charter, the Trade Related Aspects of Intellectual Property Rights, TRIPS. Key TRIPS provisions require all WTO members to provide certain minimum standards of protection for patents, copyrights, trademarks, trade secrets, geographical indicators, and other forms of intellectual property. There is also a requirement to provide effective enforcement of each nation's domestic intellectual property regulations.

Also currently in force are two copyright treaties of the World Intellectual Property Organization: the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, which entered into force in 2002. These treaties help raise the minimum standards of intellectual property protection around the world, particularly with respect to internet-based delivery of copyrighted works. As with the TRIPS agreement, enforcement of obligations by member countries remains the issue.

This resolution focuses on two nations, China and Russia, with which we have significant trading relationships, yet, are still not offering the necessary enforcement of protections. China has become a leading exporter of counterfeit and pirated goods to the world. It is, therefore, critical that we address

the issue of protection and enforcement in China. At the April 2004 meeting of the Joint Commission on Commerce and Trade, JCCT, the Chinese Government indicated that it would undertake a series of actions to significantly reduce infringement throughout the country. Piracy rates in China have remained at extremely high levels for the past decade, despite numerous actions by the Chinese Government such as the seizure and destruction of millions of pirated products, often via highly publicized steamrollings of counterfeited discs. As a fellow member of the WTO, we must ensure that China fulfills its commitments to enforce intellectual property protections under the rules of the WTO.

Piracy in Russia continues to be a growing problem. Only a few pirate optical disc factories existed in Russia in the late 1990s. Reports indicate that there are now over 30 such plants producing pirated products in Russia, ruining the Russian market for American right-holders and substantially undermining other markets in Europe as well. The Russian Government has made many promises to solve this problem, but meaningful results have yet to occur. Russia recognizes that its domestic laws and enforcement measures still do not meet TRIPS requirements; however, the required legislation has not been implemented. We should encourage the Government of Russia to act promptly and implement these measures so that it can fully comply with the rules of the WTO.

The problem of protecting intellectual property is evident. Going forward, our focus should be on the solutions. What enforcement methods should be utilized that have not been thus far? Should our international agreements and treaties with our trading partners be better utilized to ensure enforcement of intellectual property rights laws? Some progress has been made in these areas, yet there is much more ground to cover. I encourage the administration to insure that our trading partners fulfill their commitments and agreements to abide by global intellectual property rules.

I ask unanimous consent that relevant material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the International Intellectual Property Alliance, Apr. 26, 2005]

STATEMENT OF THE INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE CELEBRATING WORLD INTELLECTUAL PROPERTY DAY

WASHINGTON, DC.—The International Intellectual Property Alliance (IIPA), a coalition of six trade associations representing 1,300 U.S.-based copyright companies, today celebrates 2005 World Intellectual Property Day. Eric H. Smith, President of IIPA, issued the following statement:

“The theme for 2005's World Intellectual Property Day is ‘Think, Imagine, Create.’ This message from the Director General of the World Intellectual Property Organization (WIPO), Kamil Idris, is directed at the

world's young people to build awareness about the importance of creativity—and the protection of the intellectual property that supports that creativity—to the daily lives of every global citizen. Without providing this protection, many of the great cultural and technological assets that we now take for granted would never have been available to us to improve our lives. Strong protection and enforcement of the world's laws that nurture the creativity embodied in intellectual property are all too often taken for granted or viewed by a few as no longer necessary. We too often forget the important cultural and economic benefits, jobs, contributions to GDP and tax revenues that are dependent on a strong intellectual property system.

“U.S. creators have benefited significantly from a strong global system of protection enshrined in treaties and conventions to which virtually all the world's nations belong. Yet weak laws and inadequate enforcement of those laws continue to plague all those individuals and companies that contribute to this great global creative and technological explosion.

“Today, Senators Lugar and Baucus introduced a Sense of the Congress Resolution, celebrating World Intellectual Property Day, and highlighting the massive damage done—over \$4 billion just to U.S. creators of copyright products alone—to global creativity by just two countries, China and Russia, through their failure to abide by internationally-agreed standards of protection and enforcement. The message to these countries is clear: they are cheating themselves by failing to take effective action to prevent the creative works of their own citizens, U.S. citizens and those of other countries, from blatant theft. IIPA members join with the sponsors of this Resolution to call upon these governments to take earnest measures to halt this theft and upon the U.S. government to use all the tools provided by Congress to see that these countries take effective action to prevent pirates from stealing intellectual property with impunity. Economic and cultural development is increasingly dependent on the creation and protection of intellectual property of all kinds. The resolution hits the mark in targeting two of the world's worst offenders of intellectual property rights.”

[From the Association of American Publishers News]

PUBLISHERS APPLAUD SENATE RESOLUTION ON SAFEGUARDING INTELLECTUAL PROPERTY WORLDWIDE

WASHINGTON, DC, April 26, 2005.—The U.S. publishing industry enthusiastically welcomed today's introduction in the Senate of a bipartisan Concurrent Resolution stressing the importance of protecting intellectual property rights around the world. The Association of American Publishers (AAP) expressed special thanks to Senator Richard Lugar (R-IN), Chairman of the Foreign Relations Committee, and Senator Max Baucus (D-MT), Ranking Member of the Finance Committee, who joined in sponsoring the resolution to mark the observance of World Intellectual Property Day.

Noting that the theft of intellectual property hurts the U.S. economy and costs American jobs, and citing deep concern over the failure of many U.S. trading partners to fulfill obligations to protect intellectual property, the resolution is particularly critical of China and Russia, where piracy threatens the very existence of legitimate markets for copyright products. The resolution calls on the Administration to use “all available tools provided by Congress,” and the leverage provided by bi-lateral and multi-lateral

trade agreements (including, where appropriate, WTO commitments) as well as terms regulating benefits such as the Generalized System of Preferences (GSP) program, to protect the intellectual property rights of American businesses.

AAP President and CEO Pat Schroeder congratulated Senators Lugar and Baucus for focusing attention on the serious matter of international piracy. "Chinese pirates are decimating markets for legitimate commercial best sellers, academic arid professional works and English language learning materials. Russia leads its region in consumption of pirated books in both English and translation, and the impact on American publishers will only deepen as demand for English language materials grows in the region. Piracy cost American publishers an estimated \$50 million last year in China, and \$42 million in Russia, and the situation is worsening with the growth of the Internet as a distribution channel for pirated works," Mrs. Schroeder said. "In marking World Intellectual Property Day, this strong statement of Congress' commitment to protect American creativity is very welcome."

The Association of American Publishers is the national trade association of the U.S. book publishing industry. AAP's approximately 300 members include most of the major commercial book publishers in the United States, as well as smaller and non-profit publishers, university presses and scholarly societies. The protection of intellectual property rights in all media, the defense of intellectual freedom, and the promotion of reading and literacy are among the Association's primary concerns.

[From the Motion Picture Association of America]

MPPA CHIEF PRAISES WORLD INTELLECTUAL PROPERTY DAY RESOLUTION

WASHINGTON, DC.—Motion Picture Association President and CEO Dan Glickman today praised a concurrent resolution introduced by Senator Richard Lugar (R-IN) and Senator Max Baucus (D-MT) that expressed the sense of the Congress stressing the importance of protecting intellectual property rights, particularly in China and Russia where piracy and counterfeiting are rampant.

"I thank Senator Lugar and Senator Baucus for this resolution celebrating World Intellectual Property Day, and more importantly, for taking a leadership role in fighting for intellectual property rights across the globe."

"Of course, my special concern is protecting the magic of the movies. Our industry loses \$3.5 million each year through hard goods piracy, and billions more in internet piracy. If the black market is allowed to flourish, and if thieves are allowed to continue to steal our products, it makes it more and more difficult to make the movies that entertain people the world over."

"But this isn't just about the movies. As the resolution itself says, the American economy depends increasingly on the work of authors, inventors, programmers and many others who create intellectual products of high value. In fact, close to twelve million Americans are employed by the copyright industries. For America, intellectual property means jobs."

"But intellectual property is important for the rest of the world as well. Enforcing intellectual property laws in China and in Russia will only help these economies prosper in the long run." "I applaud this bold resolution and I thank both Senator Lugar and Senator Baucus for introducing it today."

UNIVERSAL MUSIC GROUP,

*Santa Monica, CA, April 25, 2005.*

Hon. RICHARD G. LUGAR,  
U.S. Senate, Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR LUGAR: I am the President and Chief Operating Officer of Universal Music Group, the world's largest music company. I write to tell you how much my company and I appreciate Congress' commitment to the fight against piracy. We recognize that you and Senator Baucus have been particular champions of this cause for some time now. The Resolution that you and Senator Baucus are introducing is another indication of your commitment to the many Americans who earn their livelihoods by bringing new artists and sounds to consumers around the globe.

It is clear that innovation and the strong protection of intellectual property laws will be vital to America's economic future. The United States Government must do all that it can to ensure that our trading partners vigorously enforce the treaties and other commitments they make to the United States, and it is our hope that your Senate colleagues will join you in sending that message by supporting the Lugar-Baucus Resolution.

Very truly yours,

ZACH HOROWITZ,  
President and COO.

[From the Recording Industry Association of America, April 26, 2005]

STATEMENT ON WORLD INTELLECTUAL PROPERTY DAY

On behalf of America's music community, we wish to thank Chairman Lugar and Senator Baucus for the resolution that they have jointly introduced today highlighting the need for greater vigilance in the fight against piracy in global markets. In particular, there is an urgent need to direct attention to markets like Russia and China, which remain essentially closed to U.S. businesses due to stifling piracy rates. As the Senators aptly mention, piracy in these markets and elsewhere around the world "is open, notorious and permitted to operate without meaningful hindrance from the government."

There may be no single economic issue that has a greater bearing on American competitiveness in the 21st century than the protection of intellectual property. As such, it is imperative that we not shy away from demands that our trading partners meet their obligations under international agreements as well as the criteria for participating in U.S. trade programs affording unilaterally extended trade benefits. We simply cannot enter into political arrangements that fail to protect our greatest economic assets.

On the occasion of World Intellectual Property Day, we wish to call upon the Russian and Chinese governments to reform their approach to this critical issue and to begin to seriously address the rampant piracy that is so endemic in their societies today. It is of utmost importance that the Sino-U.S. and U.S.-Russia relationships are built upon a mutual understanding of shared obligations and a strong commitment to embracing and enforcing the rule of law. While we very much want to see Russia join the community of nations bound to one another in the World Trade Organization, negotiations cannot conclude without marked improvement and a commitment on the part of the Russian government to the protection of intellectual property.

We also wish to express our great concern about the current state of affairs in China and the apparent determination of the Chinese government to limit the ability of U.S.

companies to meaningfully engage in the Chinese market. At present, the Chinese government continues to maintain significant barriers to entry for some of our nation's most competitive industries, particularly in the area of music and film production and distribution. In addition, the government continues to permit Chinese pirate businesses to be built on the back of American creativity. Without question, these practices must change if China wishes to maintain a secure and stable relationship with the United States.

We appreciate the continued attention of our nation's political leaders to this pressing issue—on both the occasion of World Intellectual Property Day and beyond. We look forward to working with Congress and the Administration to help produce—and if necessary, demand—effective changes to create a more level playing field and a global environment that values and respects American intellectual property.

MITCH BAINWOL,  
Chairman and CEO.

Mr. BAUCUS. Mr. President, the theme of this year's World Intellectual Property Day, which we commemorate today, is "Think, Imagine, Create."

Think, imagine, create, these simple words are at the center of what makes America great and what continues to drive our progress. American thought produced our Constitution and our system of government. American imagination put a person on the moon. And American creativity has made U.S. culture the envy of the world.

It is astounding how important intellectual property has become in our everyday life. It is even more astounding how much we take human creativity and intellectual property for granted. Just think about it for a moment and imagine what a world would be like without intellectual property rights.

Without copyrights, who would want to write the books we read, produce the movies we watch, or compose the music that fills our ears?

Without trademarks, who would want to invest the enormous time, energy, and resources required to develop a brand name synonymous with quality and reliability?

And without patents, who would have the incentive to innovate and produce inventions that change our world and save our lives?

Intellectual property rights are not just some abstract legal concept the sole province of lawyers and judges. They are an essential motor of our economy.

Look at the copyright industry. These are the folks who produce newspapers, books, movies, computer software, and radio/TV broadcasting. This industry alone accounts for 12 percent of our gross domestic product. That's \$1.25 trillion.

If these numbers don't impress, then let's look at the impact the copyright industries have on U.S. jobs. They alone employ roughly 11.5 million workers. That is nearly 8.5 percent of total U.S. employment. Believe it or not, that number approaches the level of employment in the health care sector or the entire manufacturing sector. And between 1997 and 2002, the rate of

job growth in the copyright industry exceeded that of the U.S. economy as a whole.

That is why protecting intellectual property rights worldwide is critical. It is not just a concern for the overall health of the U.S. economy. And it is not just a concern of this or that company. It is a concern of each and every worker that the intellectual property industries employ. And it is a concern of each and every one of us that enjoys going to see the latest movie, likes wearing a hip new pair of Nike shoes, or needs the most innovative life saving drug.

Unfortunately, while we have a robust IPR regime here in America, some of our trading partners do not. In certain countries, IPR theft is rampant.

China is probably the most notorious example. USTR reports that counterfeiting and piracy in China are at "epidemic levels and cause serious harm to U.S. businesses in virtually every sector of the economy." In fact, as USTR pointed out, one U.S. trade association claims that counterfeiting and piracy in China exceeds 90 percent. Estimates of the value of counterfeit and pirated goods in China are between \$19 billion and \$24 billion in 2001. That translates into losses of \$2.5 to \$3.8 billion to U.S. industry.

Russia is also a serial IPR violator. The scale of intellectual property rights infringement there is vast and growing. Russia's legal framework has huge gaps, and the enforcement of existing laws is lax. This has real costs. Estimated losses to U.S. copyright industries due to piracy of films, videos, sound recordings, books, and computer software continue to exceed \$1 billion annually. Over 80 percent of all DVDs on the Russian market are estimated to be pirated. Pirated music is estimated at 66 percent of sales, and software piracy is estimated at about 88 percent.

IPR violations in Brazil are also very troubling, particularly given that Brazil is both a WTO member and receives benefits from the United States under the Generalized System of Preferences. USTR reports that estimated losses in Brazil due to piracy of copyrighted materials totaled over \$930 million in 2004 alone. An estimated 75 percent of audiocassettes sold in Brazil are pirated.

These violations run counter to the entire spirit and purpose of World Intellectual Property Day. Rather than foster an environment that encourages thought, imagination, and creativity, IPR violations in China, Russia, Brazil, and other countries stifle creativity and innovation. They send the chilling message that the short-term profit of pirates, counterfeiters, and other IPR thieves matter more than the long term gains of society.

We need to crack down on countries that fail to protect and enforce intellectual property rights. We should use all tools at our disposal to address barriers to thought, imagination, and creativity.

In my view, we are long overdue in initiating a WTO case with China for its failure to comply with its obligations under the WTO's TRIPS agreement, particularly in the area of copyrights.

In my view, we should not give a green light to Russia's bid to join the WTO until Russia makes visible and sustained improvements to its legal regime as well as a demonstrable commitment to long-term enforcement.

And in my view, we should not continue to give countries with serious intellectual property deficiencies, like Russia and Brazil, GSP benefits until they clean up their act.

That is why I am today cosponsoring with Senator LUGAR a sense-of-the-Senate resolution on the importance of protecting intellectual property. Among other things, this resolution urges the administration to use all effective remedies to address the lack of intellectual property protection. It also urges the administration to take action to ensure that China, Russia, and our other trading partners comply with their international trade obligations.

Think, imagine, create, that is the theme of this year's World Intellectual Property Day. I hope that next year we can celebrate an improved global environment that truly fosters these important aspirations.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 28) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 28

Whereas protection of intellectual property is critical to our nation's economic competitiveness, cultural diversity, health and scientific development;

Whereas the United States economy depends increasingly on the work of authors, artists, inventors, programmers, and many others who create intellectual products of high value;

Whereas theft of intellectual property results in competitive disadvantages to United States industries and job losses for American workers, and for the United States economy as a whole;

Whereas the copyright industries employ approximately 11,500,000 workers or 8.41 percent of total employment in the United States, a number that approaches the levels of employment in the health care and social assistance sector (15,300,000 employees) and the entire manufacturing sector (14,500,000 workers in 21 manufacturing industries);

Whereas there is great concern about the failure of many of our trading partners to live up to their international obligations in the area of intellectual property protection;

Whereas counterfeiting of copyrighted products in digital and other formats, as well as counterfeiting of all types of trademarked products, has grown to an enormous scale;

Whereas many of our trading partners, in particular Russia and China, have laws in

place to prevent piracy and counterfeiting, but are failing to enforce the laws;

Whereas Russia and China alone are responsible for over \$4,000,000,000 in losses a year to United States industries due to piracy;

Whereas piracy in Russia and China is open, notorious, and permitted to operate without meaningful hindrance from the governments of those countries;

Whereas China should be encouraged to meet its intellectual property protection obligations as a member of the World Trade Organization (WTO);

Whereas Russia should be encouraged to explore means to provide effective piracy protection enabling compliance with the rules set forth by the WTO;

Whereas the United States Government must convey to these countries that failure to act will have political and economic consequences for relationships with the United States; and

Whereas Congress has enacted legislation regarding the protection of intellectual property, including measures which direct the Administration to ensure countries that fail to provide adequate and effective protection for intellectual property: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) the Administration should utilize effective remedies and solutions in addressing the lack of intellectual property protection in China and Russia, using all available tools provided by Congress;

(2) the Administration should ensure that any country that enjoys benefits under the Generalized System of Preferences (GSP) program, such as Russia, lives up to its obligations to provide adequate and effective protection for intellectual property rights, or lose its eligibility to participate in trade preference programs;

(3) the Administration should ensure that action is taken against any country with which the United States shares mutual commitments under the WTO, such as China, when the country fails to live up to its WTO commitments;

(4) the Administration should urge Russia to promote measures to enforce intellectual property protection which will enable compliance with the intellectual property commitments required by the WTO; and

(5) the President should take any additional action the President considers appropriate to protect the intellectual property rights of United States businesses.

#### COMMENDING UNIVERSITY OF MINNESOTA WOMEN'S ICE HOCKEY TEAM

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 125, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 125) commending the University of Minnesota Golden Gophers women's ice hockey team for winning the 2004-2005 National Collegiate Athletic Association Division I Women's Hockey Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed