

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

to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 125) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 125

Whereas, on Sunday, March 27, 2005, the University of Minnesota Golden Gophers won the National Collegiate Athletic Association (NCAA) Division I Women's Hockey Championship for the second straight year;

Whereas the University of Minnesota Golden Gophers defeated Harvard University in the championship game by a score of 4 to 3, and defeated Dartmouth College by a score of 7 to 2 in the semifinals;

Whereas, during the 2004-2005 season, the Golden Gophers won an outstanding 36 out of 40 games;

Whereas Ms. Krissy Wendell was honored with the prestigious Patty Kazmaier Award, which is presented annually to the Nation's most outstanding women's collegiate hockey player;

Whereas Ms. Natalie Darwitz, Ms. Lyndsay Wall, and Ms. Krissy Wendell were selected for the 2004-2005 NCAA All-Tournament Team, and Ms. Darwitz was named the tournament's Most Valuable Player;

Whereas Ms. Lyndsay Wall, Ms. Krissy Wendell, and Ms. Natalie Darwitz were named to the CCM Women's University Division I Ice Hockey All-American First Team, and Ms. Jody Horak was named to the CCM Women's University Division I Ice Hockey All-American Second Team;

Whereas the team's seniors—Ms. Jody Horak, Ms. Brenda Reinen, Ms. Kelly Stephens, Ms. Noelle Sutton, and Ms. Stacy Troumbly—made tremendous contributions to the University of Minnesota Golden Gophers women's ice hockey program throughout their collegiate careers;

Whereas Ms. Ashley Albrecht, Ms. Chelsey Brodt, Ms. Natalie Darwitz, Ms. Whitney Graft, Ms. Jody Horak, Ms. Krista Johnson, Ms. Natalie Lammé, Ms. Erica McKenzie, Ms. Anya Miller, Ms. Andrea Nichols, Ms. Liz

Palkie, Ms. Jenelle Philipczyk, Ms. Brenda Reinen, Ms. Bobbi Ross, Ms. Allie Sanchez, Ms. Maggie Souba, Ms. Kelly Stephens, Ms. Noelle Sutton, Ms. Stacy Troumbly, Ms. Becky Wacker, Ms. Lyndsay Wall, and Ms. Krissy Wendell demonstrated exceptional teamwork, selfless team spirit, and admirable sportswomanship throughout the season;

Whereas the University of Minnesota Golden Gophers women's ice hockey team Head Coach Laura Halldorson and Assistant Coaches Brad Frost, Charlie Burggraf, and Jeff Moen provided outstanding leadership and coaching to mold all of the talented young women into a championship team: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Minnesota Golden Gophers women's ice hockey team for winning the 2004-2005 National Collegiate Athletic Association's Division I Women's Ice Hockey Championship;

(2) recognizes the outstanding achievements of the team's players, coaches, and support staff; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the president of the University of Minnesota.

ORDERS FOR WEDNESDAY,

APRIL 27, 2005

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, April 27. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for morning business for up to 120 minutes, with the first 30 minutes under the control of the majority leader or his designee, the next 60 minutes under the control of Senator BIDEN or his designee, and the final 30 minutes

under the control of the majority leader or his designee; provided that following morning business the Senate resume consideration of H.R. 3, the highway bill.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow following morning business, the Senate will resume consideration of the highway bill. We will continue the amending process tomorrow. The chairman and ranking member will be here to work through amendments that are offered. Rollcall votes are expected throughout the day in relation to the amendments.

I also remind my colleagues that we have several other important matters to address before adjourning for next week's recess. We hope to receive conference reports to both the budget resolution and supplemental appropriations bill. In addition, several nominations are available for floor consideration, and we expect to move forward with those this week as well.

Again, we have a lot of work to do this week. Senators should expect busy days with rollcall votes throughout the week.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:34 p.m., adjourned until Wednesday, April 27, 2005, at 9:30 a.m.