

“(c) REPORT TO CONGRESS.—At the end of each fiscal year, the Assistant Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee of Health, Education, Labor, and Pensions of the Senate a report that contains a summary of the data submitted under subsection (a)(1)(B) and a description of any implementation issues with the programs carried out under this title.

“SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary to carry out this title, such sums as may be necessary for each of fiscal years 2007 through 2012.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 438—EX-PRESSING THE SENSE OF CONGRESS THAT INSTITUTIONS OF HIGHER EDUCATION SHOULD ADOPT POLICIES AND EDUCATIONAL PROGRAMS ON THEIR CAMPUSES TO HELP DETER AND ELIMINATE ILLICIT COPYRIGHT INFRINGEMENT OCCURRING ON, AND ENCOURAGE EDUCATIONAL USES OF, THEIR COMPUTER SYSTEMS AND NETWORKS

Mr. ALEXANDER (for himself, Mr. LEAHY, Mr. HATCH, and Mr. NELSON of Florida) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 438

Whereas the colleges and universities of the United States play a critically important role in educating young people;

Whereas the colleges and universities of the United States are responsible for helping to build and shape the educational foundation of their students, as well as the values of their students;

Whereas the colleges and universities of the United States play an integral role in the development of a civil and ordered society founded on the rule of law;

Whereas the colleges and universities of the United States have been the origin of much of the creativity and innovation throughout the history of the United States;

Whereas much of the most valued intellectual property of the United States has been developed as a result of the colleges and universities of the United States;

Whereas the United States has, since its inception, realized the value and importance of intellectual property protection in encouraging creativity and innovation;

Whereas intellectual property is among the most valuable assets of the United States;

Whereas the importance of music, motion picture, software, and other intellectual property-based industries to the overall health of the economy of the United States is significant and well documented;

Whereas the colleges and universities of the United States are uniquely situated to advance the importance and need for strong intellectual property protection;

Whereas intellectual property-based industries are under increasing threat from all forms of global piracy, including hard goods and digital piracy;

Whereas the pervasive use of so-called peer-to-peer (P2P) file sharing networks has led to rampant illegal distribution and reproduction of copyrighted works;

Whereas the Supreme Court, in *MGM Studios Inc. v. Grokster, Ltd.*, reviewed evidence

of users' conduct on just two peer-to-peer networks and noted that, “the probable scope of copyright infringement is staggering” (125 S. Ct. 2764, 2772 (2005));

Whereas Justice Breyer, in his opinion in *MGM Studios Inc. v. Grokster, Ltd.*, wrote that “deliberate unlawful copying is no less an unlawful taking of property than garden-variety theft” (125 S. Ct. 2764, 2793 (2005));

Whereas many computer systems of the colleges and universities of the United States are illicitly utilized by students and employees to further unlawful copying;

Whereas throughout the course of the past few years, Federal law enforcement has repeatedly executed search warrants against computers and computer systems located at colleges and universities, and has convicted students and employees of colleges and universities for their role in criminal intellectual property crimes;

Whereas in addition to illicit activity, unauthorized peer-to-peer use has multiple negative impacts on college computer systems;

Whereas individuals engaged in illegal downloading on college computer systems use significant amounts of system bandwidth which exist for the use of the general student population in the pursuit of legitimate educational purposes;

Whereas peer-to-peer use on college computer systems potentially exposes those systems to a myriad of security concerns, including spyware, viruses, worms or other malicious code which can be easily transmitted throughout the system by peer-to-peer networks;

Whereas peer-to-peer use on college computer systems also exposes those systems to increased volumes of pornographic or obscene material, including child pornography, which are readily available on peer-to-peer systems;

Whereas peer-to-peer systems have also been used to gain unauthorized access to personal and sensitive information, such as social security account numbers, medical information, tax returns, and bank statements;

Whereas colleges and universities must use valuable and finite resources in responding to requests from victims and law enforcement seeking to stop illegal downloading on college computer systems;

Whereas computer systems at colleges and universities exist for the use of all students and should be kept free of illicit activity;

Whereas college and university systems should continue to develop and to encourage respect for the importance of protecting intellectual property; the illegality and potential legal consequences of unauthorized downloading of copyrighted works; and the additional security risks associated with unauthorized peer-to-peer use; and

Whereas it should be clearly established that unauthorized peer-to-peer use is prohibited and violations punished consistent with upholding the rule of law: Now, therefore, be it

Resolved, That—

(1) colleges and universities should continue to take a leadership role in educating students regarding the detrimental consequences of online infringement of intellectual property rights; and

(2) colleges and universities should continue to take all practicable steps to deter and eliminate unauthorized peer-to-peer use on their computer systems by adopting or continuing policies to educate and warn students about the risks of unauthorized use, and educate students about the intrinsic value of and need to protect intellectual property.

Mr. ALEXANDER. Mr. President, today I am submitting a resolution

that expresses the Sense of Congress that colleges and universities should continue to educate their students about the importance of intellectual property and the harm caused by copyright infringement. I am joined in introducing this resolution by Senators LEAHY, HATCH, and NELSON of Florida, and I thank them for their support.

The intent of this resolution is to help draw attention to the problem of digital piracy on campus through the use of university computer networks to illegally share copyrighted materials. Efforts to combat digital piracy were bolstered last year when the U.S. Supreme Court handed down its decision in *MGM Studios, Inc. v. Grokster, Ltd.* That ruling has allowed the movie and recording industries to take additional steps to protect intellectual property and prevent what Justice Breyer described in the *Grokster* decision as “no less an unlawful taking of property than garden-variety theft.”

However, truly stamping out digital piracy requires that we challenge the widespread belief that there is nothing wrong with illegally downloading music and other copyrighted material, and that it doesn't hurt anybody except for rich performers and corporate executives who have plenty of money. I can tell you that's not true because I have personally met with songwriters from Nashville who have explained how illegal downloading has hurt their livelihoods. There are many other Americans without million-dollar bank accounts who have been hurt by copyright infringement as well.

The place to start turning that belief around is at our institutions of higher learning. For many students, a college campus is the first place where they have high-speed Internet access and are exposed to technology that allows them to trade copyrighted files with other computer users. At the same time, college campuses are the source of some of our Nation's most valuable intellectual property. The combination of these two factors makes our colleges and universities the ideal place for students to develop a respect for intellectual property and to understand the harm caused by copyright infringement.

The resolution that my colleagues and I are introducing today encourages colleges and universities to take a leadership role in educating students regarding the importance of protecting intellectual property, and to take steps to prevent unauthorized downloading on their computer systems. Throughout the country, many schools are already meeting this challenge. In my own State, Vanderbilt University has taken steps to instill respect for intellectual property in its students, while taking action to prevent its computer system from being misused. For example, Vanderbilt has created VUmix, a music downloading service, to help its students understand the digital piracy issue and provide them with a legal alternative. The VUmix service is part of

the university's Digital Life Initiative, a comprehensive approach to offering music, film, and other forms of digital media to the Vanderbilt community. Other schools are doing similar things to combat copyright infringement, and this resolution encourages such efforts.

I encourage my colleagues to support this resolution and promote respect for one of America's most valuable assets: its intellectual property.

Mr. LEAHY. Mr. President, I am pleased today to stand with my colleagues, Senator ALEXANDER, Senator HATCH, and Senator NELSON of Florida, to express the sense of this Congress that institutions of higher education should act diligently to help eliminate the harms from the illicit copyright infringement that plagues many campus computer systems.

Online piracy, especially illegal file-sharing of copyrighted works such as music, movies and software, is a growing problem. While I always encourage technological innovation, I am also acutely aware of the need to respect the intellectual property rights and talent of those who create the works that are made available online. Some peer-to-peer software applications allow individuals, without authorization, to copy and distribute—for free—unlimited numbers of these valuable works. The speed and convenience of our universities' networks, which were built for academic pursuits, have unfortunately also proved to be a lure for students seeking to engage in this illegal and detrimental behavior.

When music and movie industry representatives speak with me about this problem, they describe a disturbing level of online piracy. In addition to exposing students to legal liability, illegal file-sharing on school networks may compromise the integrity of those systems by using up expensive bandwidth, introducing spyware, and hosting destructive viruses.

I am pleased that colleges and universities in my home state have been working for nearly two years to combat these problems. In July 2004, Middlebury College, located in Middlebury VT, announced a deal with Napster to provide legitimate file sharing services that offer online music to students. It is my hope that more institutions will follow in step, and work to provide students with the tools needed to lawfully access the wealth of information available on the web.

As technology continues to advance, the issues that surround legitimately accessing online content will become increasingly important. I want to thank my colleagues on both sides of the aisle for working with me to convey this important message.

SENATE RESOLUTION 439—DESIGNATING THE THIRD WEEK OF APRIL 2006 AS "NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK"

Mr. DODD (for himself, Mr. ALEXANDER, Ms. SNOWE, Ms. LANDRIEU, Mrs.

CLINTON, Mr. LEVIN, Mrs. MURRAY, Mr. LIEBERMAN, Mr. SALAZAR, Mr. DURBIN, and Mr. COLEMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 439

Whereas the month of April has been designated "National Child Abuse Prevention Month" as an annual tradition that was initiated in 1979 by former President Jimmy Carter;

Whereas the most recent National Child Abuse and Neglect Data System figures reveal that almost 900,000 children were victims of abuse and neglect in the United States in 2002, causing unspeakable pain and suffering to our most vulnerable citizens;

Whereas among the children who are victims of abuse and neglect, nearly 4 children die in the United States each day;

Whereas children aged 1 year or younger accounted for 41.2 percent of all child abuse and neglect fatalities in 2002, and children aged 4 years or younger accounted for 76.1 percent of all child abuse and neglect fatalities in 2002;

Whereas abusive head trauma, including the trauma known as "Shaken Baby Syndrome", is recognized as the leading cause of death of physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas a 2003 report in the Journal of the American Medical Association estimated that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom ⅓ will be babies or infants under 1 year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome are being misdiagnosed or are not detected;

Whereas Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in more than \$1,000,000 in medical costs to care for a single, disabled child in just the first few years of life;

Whereas the most effective solution for ending Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome;

Whereas education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas efforts to prevent Shaken Baby Syndrome are supported by advocacy groups across the United States that were formed by parents and relatives of children who have been killed or injured by shaking, including the National Shaken Baby Coalition, the Shaken Baby Association, the Shaking Kills: Instead Parents Please Educate and Remember Initiative (commonly known as the "SKIPPER Initiative"), the Shaken Baby Alliance, Shaken Baby Prevention, Inc., A Voice for Gabbi, Don't Shake Jake, and the Kierra Harrison Foundation, whose mission is to educate the general public and

professionals about Shaken Baby Syndrome and to increase support for victims and the families of the victims in the health care and criminal justice systems;

Whereas child abuse prevention programs and "National Shaken Baby Syndrome Awareness Week" are supported by the National Shaken Baby Coalition, the National Center on Shaken Baby Syndrome, the Children's Defense Fund, the American Academy of Pediatrics, the Child Welfare League of America, Prevent Child Abuse America, the National Child Abuse Coalition, the National Exchange Club Foundation, the American Humane Association, the American Professional Society on the Abuse of Children, the Arc of the United States, the Association of University Centers on Disabilities, Children's Healthcare is a Legal Duty, Family Partnership, Family Voices, National Alliance of Children's Trust and Prevention Funds, United Cerebral Palsy, the National Association of Children's Hospitals and related institutions, Never Shake a Baby Arizona, Prevent Child Abuse Arizona, the Center for Child Protection and Family Support, and many other organizations;

Whereas a 2000 survey by Prevent Child Abuse America shows that approximately half of all citizens of the United States believe that, of all the public health issues facing the United States, child abuse and neglect is the most important issue;

Whereas Congress previously designated the third week of April 2001 as "National Shaken Baby Syndrome Awareness Week 2001"; and

Whereas Congress strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of April 2006 as "National Shaken Baby Syndrome Awareness Week";

(2) commends those hospitals, child care councils, schools, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children; and

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(3) encourages the citizens of the United States to—

(A) remember the victims of Shaken Baby Syndrome; and

(B) participate in educational programs to help prevent Shaken Baby Syndrome.

SENATE RESOLUTION 440—CONGRATULATING AND COMMENDING THE MEMBERS OF THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS, AND THE UNITED STATES OLYMPIC COMMITTEE, FOR THEIR SUCCESS AND INSPIRED LEADERSHIP

Mr. ALLARD (for himself and Mrs. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 440

Whereas athletes of the United States Winter Olympic Team captured 9 gold medals, 9 silver medals, and 7 bronze medals at the Olympic Winter Games in Torino, Italy;

Whereas the total number of medals won by the competitors of the United States placed the United States ahead of all but 1 country, Germany, in total medals awarded to teams from any 1 country;

Whereas the paralympic athletes of the United States captured 7 gold medals, 2 silver medals, and 3 bronze medals at the