

students and employees of colleges and universities for their role in criminal intellectual property crimes;

Whereas in addition to illicit activity, illegal 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, according to a recent study released by the Motion Picture Association of America, students at colleges and universities in the United States accounted for \$579,000,000 in losses to the motion picture industry of the United States in 2005, which represents 44 percent of that industry's annual losses due to piracy;

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 potential legal consequences of illegally downloading copyrighted works, and the additional security risks associated with unauthorized peer-to-peer use; and

Whereas it should be clearly established that illegal 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 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.

#### ORDERS FOR TUESDAY, MAY 23, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, May 23. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of S. 2611, the Comprehensive Immigration Reform Act; further, that the Senate stand in recess from 12:30 until 2:15 to accommodate the weekly policy luncheons.

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

#### PROGRAM

Mr. FRIST. Mr. President, to clarify, we will have a vote on the pending Feinstein amendment regarding the orange card program. Members can ex-

pect this vote to occur shortly before 11 a.m. That will be the first vote.

A few moments ago, I filed cloture on the immigration bill and a judicial nomination. We have a lot of work to complete this week, including other nominations and the supplemental appropriations conference report if it becomes available. Members can expect a busy week as we work through our remaining business before the upcoming recess.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

#### TRIBUTE TO JUDGE EDWARD R. BECKER

Mr. SPECTER. Mr. President, I have sought recognition to comment on a funeral service that was held earlier today for Judge Edward R. Becker. Judge Becker was one of the greatest citizens in the history of the city of Philadelphia and one of the greatest Federal judges in the history of the United States. When the contemporary history is written of the past 50 years, I believe Judge Becker will rank with Benjamin Franklin among the greatest of Philadelphia citizens, and with Judge Learned Hand, who is among the greatest Federal judges.

I first met Judge Becker in 1950 when we rode public transportation from northeast Philadelphia to the University of Pennsylvania, an hour ride each way, where we attended that school. He was 17 at the time; I was 20. He was a freshman, and I was a senior. He had an extraordinary academic record, Phi Beta Kappa from Penn, Yale Law School, a distinguished record in the practice of law, and he became a Federal judge at the age of 37. He served on the U.S. District Court for the Eastern District of Pennsylvania for 15 years, until he was elevated to the Court of Appeals for the Third Circuit.

During 35½ years, he had an extraordinary record as a Federal judge. On several occasions, Judge Becker's opinions were followed by the Supreme Court of the United States on cutting edge questions. In one case, Judge Becker wrote the opinion for the Court of Appeals for the Third Circuit, which was in disagreement with the conclusions of seven other courts of appeals. When the issue got to the Supreme Court of the United States, the Supreme Court followed Judge Becker.

He was a man of great charm and great versatility. One of his opinions was written in rhyme. He was an extraordinary pianist and was called upon by the Supreme Court not only for his legal erudition but for playing the piano at the so-called Supreme Court sing-a-longs. He was the recipient of the Devitt Award, which is given to the outstanding Federal jurist on the basis of scholarship, achievement, and community service.

Even as chief judge of the Court of Appeals for the Third Circuit, he rode the elevated public transportation to

work every day. Among his many attributes were intelligence—really brilliance—integrity, independence, loyalty, and a sense of humor. But his greatest attribute was his modesty and his humility.

He lived in the same house he came to as a child of 3 or 4 years of age and was always a friend equally to the janitors in the Federal courthouse as he was to Supreme Court Justices.

Regrettably, Judge Becker contracted prostate cancer and fought a valiant fight but succumbed last Friday to the ravages of the cancer and, today, as I say, we celebrated a great life and an outstanding life. One of the real regrets I have is that we have not yet found a cure for cancer, which could have saved Judge Becker's life.

In 1970, the President of the United States declared war on cancer and had that war been pursued with the same diligence and resources that we pursue other wars, Judge Becker would not have died from prostate cancer. Two years ago, my chief of staff, Carey Lackman, a beautiful young woman of 48, died of breast cancer. A year and a half ago, a good friend, Paula Kline, wife of Tom Kline, my former law partner, died of breast cancer. It is something that we hear about every day.

The reality is that the United States of America, with a gross national product of \$11 trillion and a Federal budget of \$2.8 trillion, could conquer cancer and the other maladies if we approached it with sufficient resources and a sufficient sense of urgency. We have a budget for the subcommittee of appropriations that I chair which has to fund the Departments of Health, Education and Labor, workman safety, which has had cuts of \$15.7 billion in the last two fiscal years, factoring in inflation. We have a budget resolution that passed, which would add \$7 billion—insufficient but at least a start in making up some of that deficiency which would allocate \$2 billion to the National Institutes of Health.

The Federal Government is precluded from financing embryonic stem cell research, which ought to be reversed by this body.

Judge Becker is well known to the Senate. Shortly after he achieved senior status, when he turned 70 in May of 2003, I asked him to participate in our legislative efforts to have asbestos reform. In August of 2003, for 2 days, he convened the so-called stakeholders—the manufacturers, the trial lawyers, the AFL-CIO representing labor, and the insurance industry in his chambers. And for the intervening almost 3 years he has presided at about 50 meetings where large groups assembled in my conference room on Capitol Hill, working for a resolution of the asbestos litigation crisis, where thousands of people suffering from mesothelioma are unable to get compensation because their companies are bankrupt. Seventy-seven companies have gone under bankruptcy.

Judge Becker, well known to this body, is really befitting of the title of

the 101st Senator. I think his passing from prostate cancer will make a deep indentation and mark on this body and will serve as a signal for action to attack cancer, attack prostate cancer, to find a cure for cancer. His passing leaves a very deep mark on his family, three children, his widow, four grandchildren, and many friends, many of whom are in this body. His record is truly that of an extraordinary jurist and a great American.

I yield the floor to my distinguished colleague from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I am honored to have been here this evening to hear the remarks of Senator SPECTER about his friend Judge Becker. I came to know him and respect him greatly myself. I remember it was Judge Becker this and Judge Becker that as we wrestled with the asbestos litigation. Senator SPECTER, I knew, had such extraordinary respect for him. I guess it probably would be fair to say that in the last year, if there had to be a 101st Senator, he might have been the one we would name because he met time and time again with Senators and groups and interests and people to try to work out an asbestos bill that would be effective.

I came around to the thinking that he was exactly correct and agreed that he and Senator SPECTER had the right approach to that historic piece of legislation.

I am very sad we never could move it forward, but Judge Becker provided a great and extraordinary contribution to the legislation. In getting to know him, talking to him about other judges, he talked about Bill Pryor, a judge from Alabama who was recently confirmed. He knew and studied his record. I came to feel that he was a fine and decent person who loved his country and just didn't want to retire and sit around. He was right in the middle of things to his last days on this Earth.

I thank Senator SPECTER for allowing us the opportunity to get to know him. I hope he will convey to Judge Becker's family our admiration and respect for him.

Mr. SPECTER. Mr. President, if the Senator will yield, I thank him for those very generous comments. I kept Judge Becker fully informed as to our work on the asbestos legislation. The leader has stated his interest in bringing the legislation back to the floor. I continue to lobby our colleagues one by one. I gave Judge Becker a report a few days before his passing, and he said: Let's pass one for the Gipper.

Mr. SESSIONS. I am not surprised. I am not surprised at all that he would be focused on policies that are important for America, even during his suffering.

I thank Senator SPECTER for letting us get to know him.

#### IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, cloture has been filed on the immigration

legislation, and I suspect cloture will be obtained on the immigration bill. We will have a vote later on in the week. The train is moving. People simply want to do something, and I suppose that is where we are headed.

I wish to make a couple comments about it. First, the difficulty we faced was that the bill which came out of the Judiciary Committee to the floor of the Senate, which was essentially the Kennedy-McCain bill, was not good legislation. In fact, it was so broadly problematic that I thought and said from the beginning there was no way we could file amendments to fix that bill. It was unfixable. It had too many basic problems that had not been evaluated carefully, that should have been thought through carefully before it was ever filed.

Senator SPECTER just left the Chamber. He supports immigration. We started in the Judiciary Committee a few months ago—really just a couple of months ago—and his bill was a lot better than the bill that came out of the Judiciary Committee. The chairman's mark had a number of provisions in it. It did not have an automatic path to citizenship, for example. So we spent several days talking around at the committee. Senator FRIST said he wanted this bill on the floor a certain date. That was a Tuesday. He wanted the bill out of committee. On Monday, we were still talking about various technical, complex legal issues and debating them and worrying about law enforcement issues, and, boom, the Kennedy-McCain bill is offered as a substitute to the Specter bill in committee. With about an hour's debate, this several-hundred page bill became the bill in committee.

A few minutes later with very little debate, the agriculture jobs part was added to the bill, and that is what came out of committee. It was incredibly broad, huge in its increase in legal immigration into the country, as well as I think inadequate enforcement and overreaching in amnesty and a lot of other issues.

So here we are trying to pass this legislation. I guess we have done it now. I spent some time pointing out some of the difficulties, and I will continue to do so. I will say this: The legislation that will hit the floor presumably this week and will be up for a vote should not be passed by us.

I have four amendments on which I would like to have votes. I know what is going to happen. Cloture has been filed, and I will be lucky to get one vote on the four amendments I will be filing tonight, to get legislative council to approve them and worry about germaneness and a lot of other things, but I am ready to file these amendments and will file them.

I want to talk about those amendments, and I ask the American people and my colleagues to think about some of the issues in these four amendments and ask: Should not, when we set about establishing a new immigration policy

for America, which has consistently been a 20-year policy—we did one in the mid-sixties and we did another one in 1986. Here we are 20 years later in 2006 passing another one. We are going to pass a bill that could set policy for quite some time. It ought to be a good bill. It should be a bill of which we are proud.

It should be a piece of legislation that considers the relevant issues facing our country and tries to fairly and decently and justly treat people who want to come here in a legitimate way, but fundamentally what we should be asking ourselves is how many people this country can accept and what kind of skill levels should they have, what expectation do we have that they will be successful when they come to this country and be able to take advantage of the opportunities that are here, to be able to pay taxes to the Government more than they draw from the Government, and those kinds of questions. That is what we are about. I submit that the legislation fails in that regard.

I have four amendments. One is a numerical limit amendment. It would cap the immigration increases caused by the bill to the numbers CBO and the White House tell us to expect, 7 million under amnesties and 8 million in new immigrations in the next 10 years. We had somewhat of a dispute. This bill is 600 pages. It is exceedingly complicated. It has a host of different categories. It has caps that apply and numbers that don't apply to caps and are exempted from caps. It is hard to figure out how many people might actually come.

The Heritage Foundation and my staff have concluded that we are looking at four times the current rate of immigration. It was 5 to 10 times the current rate of immigration until we discussed these huge numbers at a press conference last Monday, and Tuesday we adopted an amendment to knock that down. We think the immigration in that country will range from 73 million to 93 million people over the next 20 years. That represents approximately four times the amount we now allow in, which is a little less than 1 million a year, so it will be a little less than 19 million over 20 years, five times current rate, four times current rate at a minimum, we think.

The administration and CBO say some of those numbers were not good enough, and they came up with some figures.

That amendment would be designed to say: OK, we will look at your numbers and see if we can just make that the law so it won't be confusing. At least we will know what the numbers are. If the administration numbers are correct and the CBO numbers are correct, they are too high, way too high, but at least we would know what they are. At least we wouldn't have to worry that they might go and explode out of reason.

Another amendment we will be offering is the amendment to eliminate the