

States Immigration and Customs Enforcement (ICE) is the largest investigative agency within DHS and is charged with enforcing a wide array of laws, including laws related to securing the border and combating criminal smuggling.

(2) Mexico's northern border with the United States has experienced a dramatic surge in border crime and violence in recent years due to intense competition between Mexican drug cartels and criminal smuggling organizations that employ predatory tactics to realize their profits.

(3) Law enforcement agencies at the United States northern border also face challenges from transnational smuggling organizations.

(4) In response, DHS has partnered with Federal, State, local, tribal, and foreign law enforcement counterparts to create the Border Enforcement Security Task Force (BEST) initiative as a comprehensive approach to addressing border security threats. These multi-agency teams are designed to increase information-sharing and collaboration among the participating law enforcement agencies.

(5) BEST teams incorporate personnel from ICE, United States Customs and Border Protection (CBP), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE), the Federal Bureau of Investigation (FBI), the United States Coast Guard (USCG), and the U.S. Attorney's Office (USAO), along with other key Federal, State and local law enforcement agencies.

(6) Foreign law enforcement agencies participating in BEST include Mexico's Secretaria de Seguridad Publica (SSP), the Canada Border Services Agency (CBSA), the Ontario Provincial Police (OPP), and the Royal Canadian Mounted Police (RCMP).

SEC. 3. BORDER ENFORCEMENT SECURITY TASK FORCE.

(a) *IN GENERAL.*—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

“SEC. 432. BORDER ENFORCEMENT SECURITY TASK FORCE.

“(a) *ESTABLISHMENT.*—There is established within the Department a program to be known as the Border Enforcement Security Task Force (referred to in this section as ‘BEST’).

“(b) *PURPOSE.*—The purpose of BEST is to establish units to enhance border security by addressing and reducing border security threats and violence by—

“(1) facilitating collaboration among Federal, State, local, tribal, and foreign law enforcement agencies to execute coordinated activities in furtherance of border security, and homeland security; and

“(2) enhancing information-sharing, including the dissemination of homeland security information among such agencies.

“(c) *COMPOSITION AND ESTABLISHMENT OF UNITS.*—

“(1) *COMPOSITION.*—BEST units may be comprised of personnel from—

“(A) U.S. Immigration and Customs Enforcement;

“(B) U.S. Customs and Border Protection;

“(C) the United States Coast Guard;

“(D) other Department personnel, as appropriate

“(E) other Federal agencies, as appropriate;

“(F) appropriate State law enforcement agencies;

“(G) foreign law enforcement agencies, as appropriate;

“(H) local law enforcement agencies from affected border cities and communities; and

“(I) appropriate tribal law enforcement agencies.

“(2) *ESTABLISHMENT OF UNITS.*—The Secretary is authorized to establish BEST units in jurisdictions in which such units can contribute to BEST missions, as appropriate. Before establishing a BEST unit, the Secretary shall consider—

“(A) whether the area in which the BEST unit would be established is significantly impacted by cross-border threats;

“(B) the availability of Federal, State, local, tribal, and foreign law enforcement resources to participate in the BEST unit;

“(C) the extent to which border security threats are having a significant harmful impact in the jurisdiction in which the BEST unit is to be established, and other jurisdictions in the country; and

“(D) whether or not an Integrated Border Enforcement Team already exists in the area in which the BEST unit would be established.

“(3) *DUPLICATION OF EFFORTS.*—In determining whether to establish a new BEST unit or to expand an existing BEST unit in a given jurisdiction, the Secretary shall ensure that the BEST unit under consideration does not duplicate the efforts of other existing interagency task forces or centers within that jurisdiction.

“(d) *OPERATION.*—After determining the jurisdictions in which to establish BEST units under subsection (c)(2), and in order to provide Federal assistance to such jurisdictions, the Secretary may—

“(1) direct the assignment of Federal personnel to BEST, subject to the approval of the head of the department or agency that employs such personnel; and

“(2) take other actions to assist Federal, State, local, and tribal entities to participate in BEST, including providing financial assistance, as appropriate, for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

“(e) *REPORT.*—Not later than 180 days after the date on which BEST is established under this section, and annually thereafter for the following 5 years, the Secretary shall submit a report to Congress that describes the effectiveness of BEST in enhancing border security and reducing the drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, as measured by crime statistics, including violent deaths, incidents of violence, and drug-related arrests.”.

(b) *CLERICAL AMENDMENT.*—The table of contents under section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101(b)) is amended by inserting after the item relating to section 431 the following:

“Sec. 432. Border Enforcement Security Task Force.”.

Mr. PRYOR. I ask unanimous consent the committee-reported substitute amendment be agreed to and the bill as amended be read a third time.

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

The committee amendment in the nature of a substitute was ordered to be engrossed and the bill read a third time.

Mr. PRYOR. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the question is on passage of the measure.

The bill (H.R. 915), as amended, was read the third time and passed.

Mr. PRYOR. I ask unanimous consent the motion to reconsider be laid upon the table with no intervening action or debate and any related statements be printed in the RECORD as if read.

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

AMENDING THE TRADEMARK ACT OF 1946

Mr. PRYOR. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of H.R. 6215, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6215) to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution.

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

Mr. PRYOR. I know of no further debate on this measure.

The PRESIDING OFFICER. If there is no further debate, the question is on passage of the bill.

The bill (H.R. 6215) was ordered to a third reading, was read the third time and passed.

Mr. PRYOR. I ask unanimous consent the motion to reconsider be laid upon the table with no intervening action or debate and any statements related to the bill be printed in the RECORD.

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

BILLFISH CONSERVATION ACT OF 2011

Mr. PRYOR. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2706, which was received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 2706) to prohibit the sale of billfish.

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

Mr. PRYOR. I know of no further debate on this measure and urge its passage.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the measure.

The bill (H.R. 2706) was ordered to a third reading, was read the third time, and passed.

CALLING FOR THE RELEASE FROM PRISON OF FORMER PRIME MINISTER OF UKRAINE YULIA TYMOSHENKO

Mr. PRYOR. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 526, S. Res. 466.

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

The legislative clerk read as follows:

A resolution (S. Res. 466) calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko.

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Committee on Foreign Relations with an

amendment and an amendment to the preamble, as follows:

[Strike all after the enacting clause and insert the part printed in italic.]

[Strike the preamble and insert the part printed in italic.]

S. RES. 466

Whereas Ukraine has experienced encouraging growth and reforms since it declared its independence from the former Soviet Union in 1991 and adopted its first constitution in 1996;

Whereas the 1996 constitution provided basic freedoms like the freedom of speech, assembly, religion, and press, but was ultimately too weak to contain the existing corruption-laced political culture inherited from its communist past;

Whereas, as a result of the electoral fraud by which Prime Minister Viktor Yanukovich was declared the winner of the 2004 presidential election, the citizens of the Ukraine organized a series of protests, strikes, and sit-ins, which came to be known as “The Orange Revolution”;

Whereas the Orange Revolution, in concert with international pressure, forced an unprecedented second run-off election, which resulted in opposition leader Viktor Yushchenko defeating Mr. Yanukovich by a margin of 52 percent to 44 percent;

Whereas, in the 2010 presidential election, incumbent Yushchenko won only 5.5 percent in the first round of voting, which left former Prime Minister Yanukovich and then Prime Minister Yulia Tymoshenko to face one another in the run-off election;

Whereas, Mr. Yanukovich defeated Ms. Tymoshenko by a margin of 49 percent to 44 percent;

Whereas, shortly after the 2010 inauguration of Mr. Yanukovich, the Ukrainian Constitutional Court found most of the 2004 Orange Revolution inspired constitutional reforms unconstitutional;

Whereas, in 2010, President Yanukovich appointed Viktor Pshonka Prosecutor General;

Whereas, since Mr. Pshonka's appointment, more than a dozen political leaders associated with the 2004 Orange Revolution have faced criminal charges under the Abuse of Office and Exceeding Official Powers articles of the Ukrainian Criminal Code;

Whereas, in 2011, Prosecutor General Pshonka brought charges under these Abuse of Office articles against former Prime Minister Yulia Tymoshenko over her decision while in office to conclude a natural gas contract between Ukraine and Russia;

Whereas, on October 11, 2011, Ms. Tymoshenko was found guilty and sentenced to seven years in prison, fined \$189,000,000, and banned from holding public office for three years following the completion of her sentence;

Whereas, recognizing the judicial abuses present in Ukraine, the Parliamentary Assembly Council of Europe (PACE) passed Resolution 1862 on January 26, 2012;

Whereas Resolution 1862 declared that the Abuse of Office and Exceeding Official Powers articles under which Ms. Tymoshenko was convicted are “overly broad in application and effectively allow for ex post facto criminalization of normal political decision making”;

Whereas, since Ms. Tymoshenko's imprisonment, the Prosecutor General's Office has reopened additional cases against her that were previously closed and thought to be sealed under a 10-year statute of limitations;

Whereas, beginning on October 28, 2011, and multiple times since, Ukrainian Deputy Prosecutor General Renat Kuzmin has alleged in television interviews that Tymoshenko was involved in contract killings, but has filed no formal charges;

Whereas, for much of Ms. Tymoshenko's detention, she had limited outside contact and access to needed medical treatment;

Whereas international calls for Ms. Tymoshenko's release, access to outside visitors,

and adequate medical treatment were initially ignored even as her health continued to deteriorate;

Whereas, on April 28, 2012, major international news organizations, including the British Broadcast Corporation and Reuters, reported on and produced photos of bruises allegedly received by Ms. Tymoshenko from prison guards on April 20, 2012;

Whereas, in response to her inhumane treatment, Ms. Tymoshenko began a hunger strike on April 20, 2012;

Whereas, amid international outrage, the European Union has delayed indefinitely the signing of a free trade agreement with Ukraine;

Whereas, under international pressure, Ms. Tymoshenko was moved to a hospital in Kharkiv on May 9, 2012, prompting her to end her hunger strike, yet leaving her in poor health; and

Whereas on May 30, 2012, the European Parliament passed a resolution (C153/21) deploring the sentencing of Ms. Tymoshenko: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the selective and politically motivated prosecution and imprisonment of former Prime Minister Yulia Tymoshenko;

(2) expresses its deep concern that the politicized prosecutions and continued detention of Ms. Tymoshenko and other members of her party took place in a country that is scheduled to assume chairmanship of the Organization for Security and Cooperation in Europe (OSCE) in 2013;

(3) expresses its deep concern that the continued detention of Ms. Tymoshenko threatens to jeopardize ties between the United States and Ukraine;

(4) calls for the Government of Ukraine to release Ms. Tymoshenko, to provide her with timely access to medical care, and to conduct the October parliamentary elections in a fair and transparent manner consistent with OSCE standards; and

(5) calls on the Department of State to institute a visa ban against those responsible for the imprisonment and mistreatment of Ms. Tymoshenko and the more than dozen political leaders associated with the 2004 Orange Revolution.

Mr. PRYOR. I further ask that the Durbin amendment which is at the desk be agreed to, the committee-reported substitute amendment, as amended, be agreed to, and the Senate immediately proceed to a voice vote on adoption of the resolution, as amended.

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

The amendment (No. 2863) was agreed to, as follows:

On page 9, strike lines 1 through 14 and insert the following:

(2) expresses its deep concern that the politicized nature of prosecutions and detention of Ms. Tymoshenko and other members of her party took place in a country that is scheduled to assume chairmanship of the Organization for Security and Cooperation in Europe (OSCE) in 2013;

(3) expresses its deep concern that the politicized detention of Ms. Tymoshenko threatens to jeopardize ties between the United States and Ukraine;

(4) calls for the Government of Ukraine to release Ms. Tymoshenko from her current incarceration based on politicized charges, to provide Ms. Tymoshenko with timely access to medical care, and to conduct the October parliamentary elections in a fair and transparent manner consistent with OSCE standards; and

The question is on agreeing to the committee-reported substitute amendment, as amended.

The committee-reported substitute amendment, as amended, was agreed to.

Mr. PRYOR. I further ask the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

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

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

(The resolution will be printed in a future edition of the RECORD.)

ROBERT H. JACKSON UNITED STATES COURTHOUSE

Mr. PRYOR. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3556, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 3556) to designate the new United States courthouse in Buffalo, New York, as the “Robert H. Jackson United States Courthouse.”

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

Mr. PRYOR. I further ask the bill be read a third time and passed, the motion to reconsider be made and laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 3556) was ordered to a third reading, was read the third time, and passed.

ALTO LEE ADAMS, SR., UNITED STATES COURTHOUSE

Mr. PRYOR. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 445, H.R. 1791.

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

The legislative clerk read as follows:

A bill (H.R. 1791) to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the “Alto Lee Adams, Sr., United States Courthouse.”

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

Mr. PRYOR. I further ask the bill be read a third time and passed, the motion to reconsider be made and laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 1791) was ordered to a third reading, was read the third time, and passed.

ROBERT BOOCHEVER COURTHOUSE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate