

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

proceed to the immediate consideration of H.R. 4347, 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. 4347) to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the "Robert Boochever United States Courthouse."

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

Mr. PRYOR. Mr. President, I further ask that the bill be read three times and passed, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD at the appropriate place.

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

The bill (H.R. 4347) was ordered to a third reading, was read the third time, and passed.

JAMES F. BATTIN COURTHOUSE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 444, S. 3311.

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

The legislative clerk read as follows:

A bill (S. 3311) to designate the United States courthouse located at 2601 2nd Avenue North, Billings, Montana, as the "James F. Battin United States Courthouse."

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

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

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

The bill (S. 3311) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JAMES F. BATTIN UNITED STATES COURTHOUSE.

(a) IN GENERAL.—

(1) DESIGNATION.—The United States courthouse located at 2601 2nd Avenue North, Billings, Montana, shall be known and designated as the "James F. Battin United States Courthouse".

(2) TECHNICAL AMENDMENT.—The "James F. Battin United States Courthouse" located at 315 North 26th Street, Billings, Montana, shall no longer be known and designated as the "James F. Battin United States Courthouse".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a)(1) shall be deemed to be a reference to the "James F. Battin United States Courthouse".

MULTISTAKEHOLDER GOVERNANCE MODEL

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 529, S. Con. Res. 50.

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

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 50) expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

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

Mr. PRYOR. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 50) was agreed to.

The preamble was agreed to.

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

S. CON. RES. 50

Whereas given the importance of the Internet to the global economy, it is essential that the Internet remain stable, secure, and free from government control;

Whereas the world deserves the access to knowledge, services, commerce, and communication, the accompanying benefits to economic development, education, and health care, and the informed discussion that is the bedrock of democratic self-government that the Internet provides;

Whereas the structure of Internet governance has profound implications for competition and trade, democratization, free expression, and access to information;

Whereas countries have obligations to protect human rights, which are advanced by online activity as well as offline activity;

Whereas the ability to innovate, develop technical capacity, grasp economic opportunities, and promote freedom of expression online is best realized in cooperation with all stakeholders;

Whereas proposals have been put forward for consideration at the 2012 World Conference on International Telecommunications that would fundamentally alter the governance and operation of the Internet;

Whereas the proposals, in international bodies such as the United Nations General Assembly, the United Nations Commission on Science and Technology for Development, and the International Telecommunication Union, would attempt to justify increased government control over the Internet and would undermine the current multistakeholder model that has enabled the Internet to flourish and under which the private sector, civil society, academia, and individual users play an important role in charting its direction;

Whereas the proposals would diminish the freedom of expression on the Internet in favor of government control over content;

Whereas the position of the United States Government has been and is to advocate for the flow of information free from government control; and

Whereas this and past Administrations have made a strong commitment to the multistakeholder model of Internet governance and the promotion of the global benefits of the Internet: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the Secretary of State, in consultation with the Secretary of Commerce, should continue working to implement the position of the United States on Internet governance that clearly articulates the consistent and unequivocal policy of the United States to promote a global Internet free from government control and preserve and advance the successful multistakeholder model that governs the Internet today.

PATENT LAW TREATIES IMPLEMENTATION ACT OF 2012

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 532, S. 3486.

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

The legislative clerk read as follows:

A bill (S. 3486) to implement the provisions of the Hague Agreement and the Patent Law Treaty.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patent Law Treaties Implementation Act of 2012".

TITLE I—HAGUE AGREEMENT CONCERNING INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

SEC. 101. THE HAGUE AGREEMENT CONCERNING INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS.

(a) IN GENERAL.—Title 35, United States Code, is amended by adding at the end the following:

"PART V—THE HAGUE AGREEMENT CONCERNING INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

"CHAPTER Sec.
"38. International design applications .. 381.

"CHAPTER 38—INTERNATIONAL DESIGN APPLICATIONS

"Sec.

"381. Definitions.

"382. Filing international design applications.

"383. International design application.

"384. Filing date.

"385. Effect of international design application.

"386. Right of priority.

"387. Relief from prescribed time limits.

"388. Withdrawn or abandoned international design application.

"389. Examination of international design application.

"390. Publication of international design application.

"391. Opposition to international design application.

"392. Appeal from international design application.

"393. Enforcement of international design application.

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