S. 517

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 517, a bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 65

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

At the request of Mr. PRYOR, his name was added as a cosponsor of S. Res. 65, supra.

At the request of Mr. VITTER, his name was added as a cosponsor of S. Res. 65, supra.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. Res. 65, supra.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Florida (Mr. RUBIO), the Senator from Colorado (Mr. BENNET) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 28

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 28 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 29

At the request of Mr. INHOFE, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Nebraska (Mrs. FISCHER), the Senator from Wyoming (Mr. ENZI) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of amendment No. 29 proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 30

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mr. ISAKSON), the Senator from North Carolina (Mr. BURR), the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. BARRASSO), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of amendment No. 30 proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 31

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 31 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself, Mr. WYDEN, Mr. RISCH, Ms. CANTWELL, Mr. CRAPO, Mrs. MURRAY, and Mr. BEGICH):

S. 545. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation aimed at increasing the production of our hardest working renewable resource, one that often gets overlooked in the clean energy debate—hydropower. The Hydropower Improvement Act of 2013 is a bipartisan bill co-sponsored by my colleagues Senators WYDEN, RISCH, CANTWELL, CRAPO, MURRAY, and BEGICH, true hydropower advocates. The Hydropower Improvement Act of 2013 seeks to increase substantially the capacity and generation of our clean, renewable hydropower resources that will improve environmental quality and support local job creation and economic investment across the nation.

There is no question that hydropower is, and must continue to be, part of our energy solution. It is the largest source of renewable electricity in the United States. The approximately 100,000 megawatts of hydroelectric capacity we now have today provide about seven percent of the Nation's electricity needs. Hydro-electric generation is carbon-free baseload power that allows us to avoid over 200 million metric tons of carbon emissions each year. Hydropower is clean, efficient, and inexpensive. Yet, despite its tremendous benefits I am constantly amazed at how some undervalue this important resource.

Perhaps it's because conventional wisdom dismisses our Nation's hydropower capacity as tapped out. That is simply not the case. If anything, hydropower is really an underdeveloped resource—something we certainly understand in my home State of Alaska where hydro already supplies 24 percent of the State's electricity needs and over 200 promising sites for further hydropower development have been identified. There is great potential for additional hydropower development in every state, not just Alaska.

According to the Department of Energy, conventional hydropower facilities have the capacity to generate an additional 75,000 megawatts of power—a staggering amount of clean, inexpensive power. Now, that doesn't seem possible until you realize that only three percent of the country's 80,000 existing dams are even electrified. Significant amounts of new capacity—anywhere between 20,000 and 60,000 megawatts—can be derived from simple efficiency improvements or capacity additions at existing facilities. Additional hydropower can be captured in existing man-made conduits and hydroelectric pumped storage projects can help reliably integrate other renewable resources that are intermittent, such as wind, onto our grid.

The Hydropower Improvement Act of 2013 seeks to multiply our nation's hydropower capacity in an effort to expand clean power generation and create domestic jobs. The bill provides the Federal Energy Regulatory Commission with the authority to extend preliminary permit terms and to explore a possible 2-year licensing process for hydropower development at non-powered dams and closed loop pumped storage projects. The bill establishes an expedited process for FERC to consider ''qualifying conduit'' hydropower facilities and increases the rated capacity for small hydro projects to 10 megawatts. The act also calls for the Department of Energy to conduct studies of the technical flexibility and grid reliability benefits that pumped storage facilities can provide to support intermittent renewable energy, as well as on the range of opportunities for conduit hydropower potential. Importantly, the Hydropower Improvement Act of 2013 does not contain any spending authorizations and therefore does not represent any new funding.

It is my hope that as the Senate considers our Nation's long-term energy policy, we can finally recognize the important contribution the renewable resource of hydropower makes, and will continue to make, toward our clean energy goals. Our colleagues in the House have already done so. The Hydropower Improve Act of 2013 is a companion piece to H.R. 267, the Hydropower Regulatory Efficiency Act of 2013 sponsored by Representatives MCMORRIS-ROGERS and DEGETTE. H.R. 267 recently passed the House by a stunning 422-0 vote and is supported by both the National Hydropower Association and American Rivers. I ask my colleagues to join me in supporting this hydropower legislation to promote the further development of our most cost-effective, clean energy option.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Ms.

CANTWELL, Mrs. MURRAY, and Mr. MERKLEY):

S. 551. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am reintroducing a bill to reform the Capital Construction Fund. This legislation would allow fishers to withdraw monies from their CCF accounts without penalty or interest, preventing overfishing and overcapitalization.

The Capital Construction Fund, CCF, program was developed at a time when American fishers were having a hard time competing with highly efficient foreign fishing vessels. The program was designed to enable fishers to deposit a portion of their fishing-related earnings into a CCF account on a tax-deferred basis. Fishers then make withdrawals from their CCF account to construct, reconstruct, or under limited circumstances, acquire fishing vessels. However, any unauthorized withdrawal from CCF account is subject to severe interest and other penalties.

The program was a success. The CCF program helped U.S. fishers build a modern state-of-the-art fleet. Unfortunately, that U.S. fleet is now overcapitalized. This problem is exacerbated by concerns surrounding overfishing. Fisheries managers have begun to implement catch-share limits to reduce the number of fish that they allow fishers to catch each year. Now, the U.S. commercial fishing fleet has more harvesting capacity than our fisheries can sustainably support. However, the monies fishers put into CCF accounts remain and represent a potential for further overcapitalization. Yet, current CCF regulations penalize withdrawals made for anything other than authorized expenditures.

The resulting situation is problematic for the fishers, the industry and the resource. That is why I am reintroducing legislation today, along with my colleague Senator MURKOWSKI, to address this problem and relieve the pressure to increase further capitalization of the fishing fleet. My legislation will enable CCF accountholders to make a one-time withdrawal from their CCF accounts. Accountholders would be required to pay the taxes due on the monies withdrawn, but without having to pay tax penalties. An income-averaging formula would be applied to the withdrawals in an effort to avoid assessing an excessive tax rate on the one-time withdrawal. Any fisher taking advantage of one-time withdrawal would then be required to close their CCF accounts and would be prohibited from further participation in the program.

This is a win-win-win situation. The fisher gets to take the money out of his CCF without having to pay penalties and interest, but still pays the taxes when due; the government gets taxes on the withdrawals; and the resource and the fishers who remain in the fishery avoid further capitalization of an already over-capitalized industry.

I look forward to working with Senators Murkowski, Murray, Cantwell, Begich and Merkley, the fishing community, and the bill's other supporters to advance this legislation to the President's desk.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 551

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Capital Construction Fund Penalty Relief Act''.

SEC. 2. ELECTION TO TERMINATE CERTAIN CAPITAL CONSTRUCTION FUNDS.

(a) AMENDMENTS TO CHAPTER 535 OF TITLE 46, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 535 of title 46, United States Code, is amended by adding at the end the following new section:

''§ 53518. Election to terminate

''(a) IN GENERAL.—

''(1) ELECTION.—Any person who has entered into an agreement under this chapter with respect to a vessel operated in the fisheries of the United States may make an election under this paragraph to terminate the capital construction fund established under such agreement.

''(2) EFFECT OF ELECTION ON INDIVIDUALS.—In the case of an individual who makes an election under paragraph (1) with respect to a capital construction fund—

''(A) any amount remaining in such capital construction fund on the date of such election shall be distributed to such individual as a nonqualified withdrawal, except that—

''(i) in computing the tax on such withdrawal, except as provided in paragraph (4), subsections (c)(3)(B) and (f) of section 53511 shall not apply; and

''(ii) the taxpayer may elect to average the income from such withdrawal as provided in subsection (b); and

''(B) such individual shall not be eligible to enter into, directly or indirectly, any future agreement to establish a capital construction fund under this chapter with respect to a vessel operated in the fisheries of the United States.

''(3) EFFECT OF ELECTION FOR ENTITIES.—

''(A) IN GENERAL.—In the case of a person (other than an individual) who makes an election under paragraph (1)—

''(i) the total amount in the capital construction fund on the date of such election shall be distributed to the shareholders, partners, or members of such person in accordance with the terms of the instruments setting forth the ownership interests of such shareholders, partners, or members;

''(ii) each shareholder, partner, or member shall be treated as having established a special temporary capital construction fund and having deposited amounts received in the distribution into such special temporary capital construction fund;

''(iii) no gain or loss shall be recognized with respect to such distribution;

''(iv) the basis of any shareholder, partner, or member in the person shall not be reduced as a result of such distribution;

''(v) any amounts not distributed pursuant to clause (i) shall be distributed in a nonqualified withdrawal; and

''(vi) such person shall not be eligible to enter into, directly or indirectly, any future agreement to establish a capital construction fund under this chapter with respect to a vessel operated in the fisheries of the United States.

''(B) SPECIAL TEMPORARY CAPITAL CONSTRUCTION FUNDS.—For purposes of this chapter, a special temporary capital construction fund shall be treated in the same manner as a capital construction fund established under section 53503, except that the following rules shall apply:

''(i) A special temporary capital construction fund shall be established without regard to any agreement under section 53503 and without regard to any eligible or qualified vessel.

''(ii) Section 53505 shall not apply and no amounts may be deposited into a special temporary capital construction fund other than amounts received pursuant to a distribution described in subparagraph (A)(i).

''(iii) In the case of any amounts distributed from a special temporary capital construction fund directly to a capital construction fund of the taxpayer established under section 53505—

''(I) no gain or loss shall be recognized;

''(II) the limitation under section 53505 shall not apply with respect to any amount so transferred;

''(III) such amounts shall not reduce taxable income under section 53507(a)(1); and

''(IV) for purposes of section 53511(e), such amounts shall be treated as deposited in the capital construction fund on the date that such funds were deposited in the capital construction fund with respect to which the election under paragraph (1) was made.

''(iv) In the case of any amounts distributed from a special temporary capital construction fund pursuant to an election under paragraph (1), clauses (i) and (ii) of paragraph (2)(A) shall not apply to so much of such amounts as are attributable to earnings accrued after the date of the establishment of such special temporary capital construction fund.

''(v) Any amount not distributed from a special temporary capital construction fund before the due date of the tax return (including extension) for the last taxable year of the individual ending before January 1, 2019, shall be treated as distributed to the taxpayer on the day before such due date as if an election under paragraph (1) were made by the taxpayer on such day.

''(C) REGULATIONS.—The joint regulations shall provide rules for—

''(i) assigning the amounts received by the shareholders, partners, or members in a distribution described in subparagraph (A)(i) to the accounts described in section 53508(a) in special temporary capital construction funds; and

''(ii) preventing the abuse of the purposes of this section.

''(4) TAX BENEFIT RULE.—Rules similar to the rules under section 53511(f)(3) shall apply for purposes of determining tax liability on any nonqualified withdrawal under paragraph (2)(A), (3)(A)(v), or (3)(B)(v).

''(5) ELECTION.—Any election under paragraph (1)—

''(A) may only be made—

''(i) by a person who maintains a capital construction fund with respect to a vessel operated in the fisheries of the United States on the date of the enactment of this section; or

''(ii) by a person who maintains a capital construction fund which was established pursuant to paragraph (3)(A)(ii) as a result of an election made by an entity in which such person was a shareholder, partner, or member;

''(B) shall be made not later than the due date of the tax return (including extensions) for the person's last taxable year ending on or before December 31, 2018; and

''(C) shall apply to all amounts in the capital construction fund with respect to which the election is made.

''(b) ELECTION TO AVERAGE INCOME.—At the election of an individual who has received a distribution described in subsection (a), for purposes of section 1301 of the Internal Revenue Code of 1986—

''(1) such individual shall be treated as engaged in a fishing business, and

''(2) such distribution shall be treated as income attributable to a fishing business for such taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 53511 of title 46, United States Code, is amended by striking ''section 53513'' and inserting ''sections 53513 and 53518''.

(B) The table of sections for chapter 535 of title 46, United States Code, is amended by inserting after the item relating to section 53517 the following new item:

''53518. Election to terminate.''.

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Section 7518 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) ELECTION TO TERMINATE CAPITAL CONSTRUCTION FUNDS.—

''(1) IN GENERAL.—Any person who has entered into an agreement under chapter 535 of title 46 of the United States Code, with respect to a vessel operated in the fisheries of the United States may make an election under this paragraph to terminate the capital construction fund established under such agreement.

''(2) EFFECT OF ELECTION ON INDIVIDUALS.—In the case of an individual who makes an election under paragraph (1) with respect to a capital construction fund, any amount remaining in such capital construction fund on the date of such election shall be distributed to such individual as a nonqualified withdrawal, except that—

''(A) in computing the tax on such withdrawal, except as provided in paragraph (4), paragraphs (3)(C)(ii) and (6) of subsection (g) shall not apply, and

''(B) the taxpayer may elect to average the income from such withdrawal as provided in paragraph (6).

''(3) EFFECT OF ELECTION FOR ENTITIES.—

''(A) IN GENERAL.—In the case of a person (other than an individual) who makes an election under paragraph (1)—

''(i) the total amount in the capital construction fund on the date of such election shall be distributed to the shareholders, partners, or members of such person in accordance with the terms of the instruments setting forth the ownership interests of such shareholders, partners, or members,

''(ii) each shareholder, partner, or member shall be treated as having established a special temporary capital construction fund and having deposited amounts received in the distribution into such special temporary capital construction fund,

''(iii) no gain or loss shall be recognized with respect to such distribution,

''(iv) the basis of any shareholder, partner, or member in the person shall not be reduced as a result of such distribution, and

''(v) any amounts not distributed pursuant to clause (i) shall be distributed as a nonqualified withdrawal.

''(B) SPECIAL TEMPORARY CAPITAL CONSTRUCTION FUNDS.—For purposes of this section, a special temporary capital construction fund shall be treated in the same manner as a capital construction fund established under section 53503 of title 46, United States Code, except that the following rules shall apply:

''(i) Subsection (a) shall not apply and no amounts may be deposited into a special temporary capital construction fund other than amounts received pursuant to a distribution described in subparagraph (A)(i).

''(ii) In the case of any amounts distributed from a special temporary capital construction fund directly to a capital construction fund of the taxpayer established under section 53505 of title 46, United States Code—

''(I) no gain or loss shall be recognized;

''(II) the limitation under subsection (a) shall not apply with respect to any amount so transferred;

''(III) such amounts shall not reduce taxable income under subsection (c)(1)(A); and

''(IV) for purposes of subsection (g)(5), such amounts shall be treated as deposited in the capital construction fund on the date that such funds were deposited in the capital construction fund with respect to which the election under paragraph (1) was made.

''(iii) In the case of any amounts distributed from a special temporary capital construction fund pursuant to an election under paragraph (1), subparagraphs (A) and (B) of paragraph (2) shall not apply to so much of such amounts as are attributable to earnings accrued after the date of the establishment of such special temporary capital construction fund.

''(iv) Any amount not distributed from a special temporary capital construction fund before the due date of the tax return (including extension) for the last taxable year of the individual ending before January 1, 2019, shall be treated as distributed to the taxpayer on the day before such due date as if an election under paragraph (1) were made by the taxpayer on such day.

''(C) REGULATIONS.—The joint regulations shall provide rules for—

''(i) assigning the amounts received by the shareholders, partners, or members in a distribution described in subparagraph (A)(i) to the accounts described in subsection (d)(1) in special temporary capital construction funds; and

''(ii) preventing the abuse of the purposes of this section.

''(4) TAX BENEFIT RULE.—Rules similar to the rules under subsection (g)(6)(B) shall apply for purposes of determining tax liability on any nonqualified withdrawal under paragraph (2), (3)(A)(v), or (3)(B)(iv).

''(5) ELECTION.—Any election under paragraph (1)—

''(A) may only be made—

''(i) by a person who maintains a capital construction fund with respect to a vessel operated in the fisheries of the United States on the date of the enactment of this subsection, or

''(ii) by a person who maintains a capital construction fund which was established pursuant to subparagraph (3)(A)(ii) as a result of an election made by an entity in which such person was a shareholder, partner, or member,

''(B) shall be made not later than the due date of the tax return (including extensions) for the person's last taxable year ending on or before December 31, 2018, and

''(C) shall apply to all amounts in the capital construction fund with respect to which the election is made.

''(6) ELECTION TO AVERAGE INCOME.—At the election of an individual who has received a distribution described in paragraph (2), for purposes of section 1301—

''(A) such individual shall be treated as engaged in a fishing business, and

''(B) such distribution shall be treated as income attributable to a fishing business for such taxable year.''.

(2) CONFORMING AMENDMENT.—Section 7518(g)(1) of such Code is amended by striking ''subsection (h)'' and inserting ''subsections (h) and (j)''.

By Mr. JOHNSON of South Dakota (for himself, Mr. CRAPO, Ms. COLLINS, Mrs. GILLIBRAND, Ms. HIRONO, Mr. ISAKSON, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. MERKLEY, Mr. MORAN, Mr. ROBERTS, Ms. STABENOW, Mr. TESTER, Mr. BENNET, Mr. COCHRAN, and Mr. RISCH):

S. 553. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Finance.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to reintroduce the Veterinary Medicine Loan Repayment Program Enhancement Act with my friend, Senator MIKE CRAPO of Idaho. This bipartisan bill would exempt Veterinary Medicine Loan Repayment Program, VMLRP, awards from federal income taxation in order to increase veterinary services in areas around the country that lack adequate veterinary expertise.

Authorized in 2003 by the National Veterinary Medical Services Act, NVMSA, the United States Department of Agriculture's, USDA, Veterinary Medicine Loan Repayment Program serves a dual purpose in assisting qualified veterinarians in reducing their student debt while also alleviating veterinarian shortages in rural areas. Specifically, the program authorizes the National Institute of Food and Agriculture, NIFA, to repay up to $25,000 of a veterinarian's debt per year if they agree to serve in high-priority veterinary shortage areas for at least 3 years. However, awards under the program continue to be taxed at a rate of 39 percent, effectively limiting the number of awards that can be provided and delaying veterinary services to areas in desperate need. The awards are taxed with the tax payments paid under the program by the federal government, and the tax payments themselves are also taxed.

The Department of Agriculture determines whether an area is eligible for assistance under the VMLRP through a ''shortage situation'' declaration process. Currently, two circumstances lead to such a designation. A geographic designation is made when a given geographic area suffers from a shortage of veterinarians overall and an area can also be designated as a shortage area when it suffers from a shortage of veterinarians who practice in a particular field of veterinary specialty. Currently, my home state of South Dakota has 6 designated shortage situations; three of them are statewide designations noting a shortage of practitioners in veterinary specialties. Moreover, the Bureau of Labor Statistics estimates that employment of veterinarians will grow by 36 percent by 2020, creating a need for 22,000 additional veterinarians. The future growth and increased demand for veterinarians becomes even more pressing when considered in combination with national statistics that show

dozens of counties across the country that have more than 25,000 food animals but zero veterinarians.

Attaining a professional degree in a specialized and advanced field like veterinary medicine takes more than academic fortitude and personal dedication. According to the American Veterinary Medicine Association, the average VMLRP award recipient in Fiscal Year 2011 had an average eligible debt of over $100,000. Given the financial resources necessary to pursue a degree in higher education, I have long fought for this legislation to make it easier for students to pay off their loans. While South Dakota is truly a wonderful place to call home, it is a difficult place for a young veterinarian to earn a living when saddled with 6 figures of school debt. My legislation will help by enhancing the assistance veterinary graduates receive in exchange for meaningful public service while also providing important services to underserved rural areas.

With an economic impact of $21.4 billion each year, according to the South Dakota Department of Agriculture, the importance of agriculture to the South Dakota economy cannot be understated. Our ranchers, many of whom operate in very rural areas, rely on the access they have to qualified veterinarians to care for their livestock and many of them must drive long distances to access the nearest veterinarian that works with their specific type of livestock. This lack of adequate access to veterinary services could have ramifications for both human and animal health, as well as animal welfare, disease surveillance, public safety and economic development. Farmers and ranchers make their living in agriculture but food security is fundamentally in all of our interests. Everyone in America benefits from the veterinary services provided in even the most remote areas of the country. As such, I am committed to doing all I can to help bring veterinarians to underserved parts of our state.

I am proud to have fought for the establishment of the VMLRP program and for securing funding for the program through my seat on the Senate Appropriations Committee. Unfortunately, the 39 percent tax that is assessed on these benefits continues diminish the full benefits of the program. With enactment of this legislation, for every three veterinarians selected for the loan repayment awards, an additional veterinarian could also be selected to serve in an underserved shortage area. Moreover, such an exemption is not without precedent. In 2004, Congress exempted from taxation the assistance received by participants in the National Health Services Corps, NHSC.

It should be noted that nearly 140 organizations from across the nation have announced their support for a tax exemption for VMLRP, including the South Dakota Veterinary Medical Association, South Dakota Farmers Union, South Dakota Farm Bureau, South Dakota Cattlemen's Association, South Dakota Stockgrowers Association, South Dakota Cattlemen's Association, South Dakota Pork Producers Council, the American Veterinary Medical Association, the American Farm Bureau Federation, the American Sheep Industry Association, the National Farmers Union, and many, many others.

The VMLRP has had proven success in providing our agricultural producers with access to the veterinary services that they need to be effective. In fiscal year 2011, the program filled at least one shortage area in 35 States. Through the Veterinary Medicine Loan Repayment Program Enhancement Act, we can ensure that the program, and the awards offered through it, is continued and strengthened for the benefit of our students, rural communities, and family farms and ranches.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SUPPORT FOR THE VETERINARY MEDICINE LOAN REPAYMENT PROGRAM ENHANCEMENT ACT OF 2013

The undersigned organizations offer our strongest support for the Veterinary Medicine Loan Repayment Program Enhancement Act of 2013 championed by Senator Tim Johnson (D–SD), Senator Michael Crapo (R–ID), and Representative Kurt Schrader (D–OR–5).

Our organizations represent a broad spectrum of animal agriculture from all across our great country. We are concerned about the continued economic viability of America's farmers, ranchers, and the businesses they own. We support public policy that promotes vibrant rural communities. We are livestock producers; processors; animal health and research organizations; veterinary medical associations; and livestock feed, pet food and animal drug companies. We represent businesses that care deeply about animal health and animal agriculture. Together we urge Congress to pass the Veterinary Medicine Loan Repayment Program Enhancement Act without delay.

The legislation provides a federal income tax exemption for awards received under the Veterinary Medicine Loan Repayment Program (VMLRP) and similar state programs. The awards are presently taxed at 39 percent.

Veterinary medicine loan repayment awards help qualified veterinarians offset a portion of the educational debt in return for practicing food animal medicine or veterinary public health in federally designated high-priority veterinary shortage situations. Congress set a precedent for tax exemption in 2004 when it passed ''The American Jobs Creation Act of 2004'' (H.R. 4520, P.L. 108–357) making the National Health Service Corps (NHSC) loan repayment program awards tax exempt. Prior to P.L. 108–357 the NHSC awards were taxed at 39 percent.

VMLRP participants provide a wide array of veterinary services for rancher's livestock (beef, dairy cows, turkeys, chicken, swine, goats, sheep, farmed deer and elk, camelids, and working farm horses) including accredited medical procedures including vaccinations (i.e., Brucellosis official calf-hood vaccination/RB51), castration and dehorning, pregnancy detections, breeding soundness exams, and services for acute illness, trauma, dystocia or obstetrical difficulties. They provide required services for interstate movement of livestock, including commuter agreements, animal health testing requirements needed to ship livestock, tuberculosis checks and blood sample services for Brucellosis, Bluetongue, and Bovine Viral Diarrhea. They perform duties for state and federal disease control and eradication programs and play a role in a state's veterinary emergency response teams. Veterinarians practicing in public health provide regulatory oversight for critical programs and activities protecting livestock and poultry populations from catastrophic diseases of animal and public health importance. They perform domestic and foreign animal disease surveillance activities, epidemiological investigations, institute mitigation measures for disease control and are active first responders in the event of an animal disease outbreak or incident that threatens animal or human health. Also, they perform outreach and education contributing to animal disease awareness for producers, veterinary practitioners and the public.

By passing the Veterinary Medicine Loan Repayment Program Enhancement Act, Congress will bolster animal health and welfare, protect the nation's food supply and ensure that ranchers and farmers will have access to veterinary services they need for their livestock.

Sincerely,

LIVESTOCK PRODUCERS, PROCESSORS, PACKERS AND RELATED ORGANIZATIONS

American Horse Council; American Meat Institute; American Rabbit Breeders Association, Inc.; American Sheep Industry Association; American Veal Association; Fur Commission USA; International Llama Registry; Michigan Pork Producers Association; National Aquaculture Association; National Cattlemen's Beef Association; National Chicken Council; National Livestock Producers Association; National Milk Producers Federation; National Pork Producers Council; National Renderers Association; National Turkey Federation; Nebraska Poultry Industries; North American Deer Farmers Association; North American Meat Association; North Dakota Stockmen's Association; Ohio Poultry Association; South Dakota Cattlemen's Association; South Dakota Pork Producers Council; South Dakota Stockgrowers Association; Texas Association of Dairymen; United Egg Producers; U.S. Cattlemen's Association.

ANIMAL AGRICULTURE AND RURAL-FOCUSED ORGANIZATIONS

American Farm Bureau Federation®; Center for Rural Affairs; Kansas City Animal Health Corridor; Kansas City Area Development Council; Kansas City Area Life Sciences Institute; Livestock Marketing Association; National Farmers Union; National Grange; National Association of State Departments of Agriculture; National Council of Farmer Cooperatives; National Dairy Herd Information Association; National Institute for Animal Agriculture; Northeast States Association for Agriculture Stewardship; Rocky Mountain Farmers Union; South Dakota Farmers Union; State Agriculture and Rural Leaders.

ANIMAL HEALTH AND RESEARCH-FOCUSED ORGANIZATIONS;

American Dairy Science Association; American Society of Animal Science;

American Society of Laboratory Animal Practitioners; Federation of Animal Science Societies; Kansas Bioscience Authority; Poultry Science Association; Silliker, Inc.; Society for Theriogenology; United States Animal Health Association.

LIVESTOCK FEED, PET FOOD, ANIMAL DRUG COMPANIES

American Feed Industry Association; Animal Health Institute; Bayer Animal Health; Boehringer Ingelhelm Vetmedica, Inc.; Ceva Animal Health; Elanco Animal Health (A Division of Eli Lilly & Company); Pet Food Institute; Zoetis.

VETERINARY TRADE AND ALLIED ORGANIZATIONS

American Veterinary Medical Association; American Association of Veterinary Laboratory Diagnosticians; Association of American Veterinary Medical Colleges; Academy of Rural Veterinarians; Alabama Veterinary Medical Association; Alaska Veterinary Medical Association; American Animal Hospital Association; American Academy of Veterinary Nutrition; American Association for Laboratory Animal Science; American Association of Avian Pathologists; American Association of Bovine Practitioners; American Association of Corporate and Public Practice Veterinarians; American Association of Equine Practitioners; American Association of Feline Practitioners; American Association of Food Hygiene Veterinarians; American Association of Public Health Veterinarians; American Association of Small Ruminant Practitioners; American Association of Swine Veterinarians; American Association of Veterinary Clinicians; American Association of Zoo Veterinarians; American Board of Veterinary Practitioners; American Board of Veterinary Toxicology; American College of Laboratory Animal Medicine; American College of Poultry Veterinarians; American College of Theriogenologists; American College of Veterinary Dermatology; American College of Veterinary Pathologists; American College of Veterinary Radiology; American Veterinary Medical Foundation; Arizona Veterinary Medical Association; Arkansas Veterinary Medical Association; Association for Women Veterinarians Foundation; Association of Avian Veterinarians; Association of Veterinary Biologics Companies; Association of Zoos & Aquariums; California Veterinary Medical Association; Colorado Veterinary Medical Association; Connecticut Veterinary Medical Association; Delaware Veterinary Medical Association; District of Columbia Veterinary Medical Association; Florida Veterinary Medical Association; Georgia Veterinary Medical Association; Hawaii Veterinary Medical Association; Idaho Veterinary Medical Association; Illinois State Veterinary Medical Association; Indiana Veterinary Medical Association; Iowa Veterinary Medical Association; Kansas Veterinary Medical Association; Kentucky Veterinary Medical Association; Lesbian and Gay Veterinary Medical Association; Louisiana Veterinary Medical Association; Maine Veterinary Medical Association; Maryland Veterinary Medical Association; Massachusetts Veterinary Medical Association; Michigan Veterinary Medical Association; Minnesota Veterinary Medical Association; Mississippi Veterinary Medical Association; Missouri Veterinary Medical Association; Montana Veterinary Medical Association; National Association of Federal Veterinarians; National Association of State Public Health Veterinarians; National Association of Veterinary Technicians in America; National Food Animal Veterinary Institute; Nebraska Veterinary Medical Association; Nevada Veterinary Medical Association; New Hampshire Veterinary Medical Association; New Jersey Veterinary Medical Association; New Mexico Veterinary Medical Association; New York State Veterinary Medical Society; North Carolina Veterinary Medical Association; North Dakota Veterinary Medical Association; Ohio Veterinary Medical Association; Oklahoma Veterinary Medical Association; Oregon Veterinary Medical Association; Puerto Rico Veterinary Medical Association (Colegio de Medicos Veterinarios de Puerto Rico); Pennsylvania Veterinary Medical Association; Rhode Island Veterinary Medical Association; South Carolina Association of Veterinarians; South Dakota Veterinary Medical Association; Student American Veterinary Medical Association; Tennessee Veterinary Medical Association; Texas Veterinary Medical Association; Utah Veterinary Medical Association; Vermont Veterinary Medical Association; Virginia Veterinary Medical Association; Washington State Veterinary Medical Association; Wisconsin Veterinary Medical Association; Wyoming Veterinary Medical Association.

By Mr. HARKIN:

S. 555. A bill to amend the Americans with Disabilities Act of 1990 to require captioning and video description at certain movie theaters; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, today marks the 25th anniversary of the appointment of Gallaudet University's first Deaf president, Dr. I. King Jordan. This historic appointment, the product of the ''Deaf President Now'' student protests, was truly a catalyzing moment—a moment to establish dignity—for the Deaf community. As President Jordan stated in his acceptance speech, the Deaf community would ''no longer accept limits on what we can achieve.''

Deaf President Now was significant not only for the Deaf community, but it also showed other Americans what Deaf individuals are capable of. We saw the rights of the Deaf community brought to the forefront. And the Deaf President Now movement, with the active involvement of the Deaf community, helped lead to passage of the Americans with Disabilities Act 2 years later, in 1990.

The Americans with Disabilities Act is one of the landmark civil rights laws of the 20th century—a long-overdue emancipation proclamation for Americans with disabilities. The ADA has played a huge role in making our country more accessible, in raising the expectations of people with disabilities about what they can hope to achieve at work and in life, and in inspiring all of us to view disability issues through the lens of equality and opportunity.

Before the ADA, life was very different for folks with disabilities. Being an American with a disability meant not being able to ride on a bus because there was no lift, not being able to attend a concert or ballgame because there was no accessible seating, and not being able to cross the street in a wheelchair because there were no curb cuts. In short, it meant not being able to work or participate in community life. Discrimination was both commonplace and accepted.

Since then, we have seen amazing progress. The ADA literally transformed the American landscape by requiring that architectural barriers be removed and replaced with accessible features such as ramps, lifts, curb cuts, widening doorways, and closed captioning. More importantly, the ADA gave millions of Americans the opportunity to participate in their communities. We have made substantial progress in advancing the four goals of the ADA—equality of opportunity, full participation, independent living, and economic self-sufficiency.

But despite this progress, we still have more work to do. Although most television and home videos contain captioning for individuals who are deaf or hard of hearing—or the rest of us—most movie theaters do not. Thus millions of Americans who are deaf or hard of hearing are not able to attend a movie with their families or friends, at a time and location that they want, simply because captioning is not available. The same is true for individuals who are blind or visually impaired; most movie theaters do not provide access to video description technology, which would allow these individuals to have access to the key elements of a motion picture by contemporaneous audio narrated descriptions during the natural pauses in the audio portion of the programming, usually through headphones.

A similar problem occurs in airplanes, with respect to in-flight entertainment. Many airlines are now providing in-flight entertainment for their passengers—but individuals who are deaf or hard of hearing cannot access it, because the overwhelming majority of this programming does not have captioning. Individuals who are blind or visually impaired are similarly excluded, since video description is not provided for such programming either.

So we have a situation where an individual, in his own home, can usually access captioning or similar technology on his television when watching live television, or a television show, or a movie. Such captioning is often available in other venues, such as restaurants and sports bars. I do not believe that it would be difficult to provide the same technology access for individuals with disabilities in movie theaters or on airplanes. This would allow these Americans with disabilities

to have the same access as everyone else.

Today I am introducing two bills. These bills will allow Americans with visual or hearing impairments to enjoy going to the movies and watching in-flight entertainment, through captioning and video description, just as they can at home.

The first S. 555, entitled the Captioning and Image Narration to Enhance Movie Accessibility, CINEMA, Act, would amend Title III of the ADA to require movie theater complexes of two or more theaters to make captioning and video description available for all films at all showings.

The second, S. 556, entitled the Air Carrier Access Amendments Act, would require air carriers to make captioning and video description available for visually-displayed entertainment programming—live televised events, recorded programming, and motion pictures—that is available in-flight for passengers. In instances where the programming is only available through the use of an individual touchscreen or other contact-sensitive controls, the bill would authorize the U.S. Access Board to develop accessibility standards so that individuals with disabilities can operate the displays independently.

I look forward to working with my fellow members to pass these two bills and ensure that individuals who are deaf or hard of hearing, or who are blind or visually impaired, can have the same access to movies and in-flight entertainment as other Americans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 555

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Captioning and Image Narration to Enhance Movie Accessibility Act'' or the ''CINEMA Act''.

SEC. 2. MOVIE THEATER ACCESSIBILITY.

Section 302(b) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) MOVIE THEATER ACCESSIBILITY.—

''(A) DEFINITIONS.—In this paragraph:

''(i) CLOSED CAPTIONING.—The term 'closed captioning' means a method, process, or mechanism, which may include a device, that—

''(I) allows an individual who is deaf or hard of hearing to have access to the content of a motion picture; and

''(II) allows that access by displaying, through an individual device or individually used technology, all of the audio portion of the motion picture (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed and controlled by that individual while the individual simultaneously watches the motion picture.

''(ii) COVERED ENTITY.—The term 'covered entity' means an entity—

''(I) that operates a complex of 2 or more movie theaters, screening rooms, or similar venues, at a single location, that are used for the exhibition of copyrighted motion pictures, if such exhibition is open to the public; and

''(II) whose operations affect commerce.

''(iii) OPEN CAPTIONING.—The term 'open captioning' means a method, process, or mechanism that—

''(I) allows an individual who is deaf or hard of hearing to have access to the content of a motion picture; and

''(II) allows that access by openly displaying on the movie screen involved all of the audio portion of the motion picture (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed by that individual and other members of the audience while the individual and members simultaneously watch the motion picture.

''(iv) VIDEO DESCRIPTION.—The term 'video description' means a method, process, or mechanism, including a device, that—

''(I) allows an individual who is blind or visually impaired to have access to the key visual elements of a motion picture (such as actions, settings, facial expressions, costumes, and scene changes); and

''(II) allows that access through the provision of contemporaneous audio narrated descriptions of those elements during the natural pauses in the audio portion of the motion picture, or during the audio portion if necessary.

''(B) ACCESSIBILITY.—It shall be discriminatory for any person who owns, leases (or leases to), or operates a covered entity to fail to ensure that all motion pictures shown at the complex involved are accessible to individuals with disabilities, including—

''(i) providing, or making available, open captioning for individuals with disabilities, including individuals who are deaf or hard of hearing;

''(ii) providing, or making available, closed captioning for individuals with disabilities, including individuals who are deaf or hard of hearing; and

''(iii) providing, or making available, video description for individuals with disabilities, including individuals who are blind or visually impaired.

''(C) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit or prohibit an individual with a disability from utilizing technology in connection with a personal device in a manner that may provide the individual with access to closed captioning, open captioning, or video description that is equivalent to or greater than the corresponding access required under subparagraph (B).''.

SEC. 3. CONFORMING AMENDMENT.

Section 308(a)(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)(2)) is amended by striking ''and section 303(a)'' and inserting '', 302(b)(3), and 303(a)''.

SEC. 4. EFFECTIVE DATE.

This Act takes effect 1 year after the date of enactment of this Act.

By Mr. HARKIN:

S. 556. A bill to amend title 49, United States Code, to improve the accessibility of entertainment programming provided by air carriers on passenger flights, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 556

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Air Carrier Access Amendments Act''.

SEC. 2. ACCESSIBILITY OF IN-FLIGHT ENTERTAINMENT PROGRAMMING.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by inserting after section 41705 the following:

''§ 41705a. Accessibility of in-flight entertainment programming

''(a) IN GENERAL.—In providing air transportation, an air carrier, including (subject to section 40105(b)) any foreign air carrier, shall ensure that—

''(1) on and after the date that is 180 days after the date of the enactment of the Air Carrier Access Amendments Act, all visually displayed entertainment programming available to passengers on a flight is accessible to individuals with disabilities, including by—

''(A) providing, or making available, open captioning for individuals with disabilities, including individuals who are deaf or hard of hearing, when such programming is available to passengers through shared video displays, such as a monitor located in a passenger access aisle;

''(B) providing, or making available, closed captioning for individuals with disabilities, including individuals who are deaf or hard of hearing, when such programming is available to passengers through individual video displays; and

''(C) providing, or making available, video description for individuals with disabilities, including individuals who are blind or visually impaired, when such programming is available to passengers through individual video displays or shared video displays; and

''(2) not later than the effective date of the regulations prescribed under subsection (c)(2), all individual video displays that display entertainment programming or information to passengers on a flight that are operated primarily by using touchscreens or other contact-sensitive controls include a mechanism that allows individuals with disabilities, including individuals who are blind or visually impaired, to independently operate the displays in accordance with the standards prescribed under subsection (c).

''(b) ENFORCEMENT.—

''(1) IN GENERAL.—The remedies and procedures set forth in section 308(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)), including the injunctive relief described in paragraph (2) of that section, shall be available to any person aggrieved by the failure of an air carrier to comply with subsection (a).

''(2) ENFORCEMENT BY ATTORNEY GENERAL.—The provisions of section 308(b) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(b)) shall apply with respect to the compliance of air carriers with subsection (a) to the same extent that those provisions apply with respect to the compliance of covered entities with title III of that Act (42 U.S.C. 12181 et seq.).

''(c) ESTABLISHMENT OF STANDARDS FOR OPERATION OF INDIVIDUAL VIDEO DISPLAYS.—

''(1) IN GENERAL.—Not later than 18 months after the date of the enactment of the Air

Carrier Access Amendments Act, the Architectural and Transportation Barriers Compliance Board shall, in consultation with the Secretary of Transportation, prescribe standards in accordance with chapter 5 of title 5 (commonly known as the 'Administrative Procedure Act') setting forth the minimum technical criteria for individual video displays described in subsection (a)(2) to ensure that such video displays include a mechanism that allows individuals with disabilities to operate the displays independently.

''(2) REGULATIONS.—Not later than 180 days after the Architectural and Transportation Barriers Compliance Board issues standards under paragraph (1), the Secretary shall prescribe such regulations as are necessary to implement those standards and shall publish those regulations in an accessible format.

''(3) REVIEW AND AMENDMENT.—The Architectural and Transportation Barriers Compliance Board, in consultation with the Secretary, shall periodically review and, as appropriate, amend the standards prescribed under paragraph (1) in accordance with chapter 5 of title 5. Not later than 180 days after the Architectural and Transportation Barriers Compliance Board issues amended standards under this paragraph, the Secretary shall make such revisions to the regulations prescribed under paragraph (2) as are necessary to implement the amended standards.

''(d) DEFINITIONS.—In this section:

''(1) CLOSED CAPTIONING.—The term 'closed captioning' means a method, process, or mechanism, which may include a device, that—

''(A) allows an individual who is deaf or hard of hearing to have access to the content of visually displayed entertainment programming; and

''(B) allows that access by displaying, through an individual device or individually used technology, all of the audio portion of the programming (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed and controlled by that individual while the individual simultaneously watches the programming.

''(2) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any person who has a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

''(3) OPEN CAPTIONING.—The term 'open captioning' means a method, process, or mechanism that—

''(A) allows an individual who is deaf or hard of hearing to have access to the content of visually displayed entertainment programming; and

''(B) allows that access by openly displaying on the video display on which the programming is displayed all of the audio portion of the programming (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed by that individual and other passengers while the individual and passengers simultaneously watch the programming.

''(4) VIDEO DESCRIPTION.—The term 'video description' means a method, process, or mechanism, including a device, that—

''(A) allows an individual who is blind or visually impaired to have access to the key visual elements of visually displayed entertainment programming (such as actions, settings, facial expressions, costumes, and scene changes); and

''(B) allows that access through the provision of contemporaneous audio narrated descriptions of those elements during the natural pauses in the audio portion of the programming, or during the audio portion if necessary.

''(5) VISUALLY DISPLAYED ENTERTAINMENT PROGRAMMING.—The term 'visually displayed entertainment programming' means live televised events, recorded programming (including television programs), or motion pictures that are available to passengers, for a fee or without cost, on a flight in air transportation.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41705 the following:

''41705a. Accessibility of in-flight entertainment programming.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 76—DESIGNATING ROOM S–126 OF THE UNITED STATES CAPITOL AS THE ''SENATOR DANIEL K. INOUYE ROOM'' IN RECOGNITION OF HIS SERVICE TO THE SENATE AND THE PEOPLE OF THE UNITED STATES

Mr. REID (for himself and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 76

Whereas Senator Daniel K. Inouye served the people of Hawaii for more than 58 years as a member of the Territorial House of Representatives, the Territorial Senate, the United States House of Representatives, and the United States Senate;

Whereas Senator Daniel K. Inouye became the first Japanese American to serve in both the United States House of Representatives and the United States Senate;

Whereas Senator Daniel K. Inouye represented Hawaii in Congress from before the time that Hawaii became a State in 1959 until 2012;

Whereas, during his tenure in the Senate, Senator Daniel K. Inouye served as the President pro tempore, the Chairman of the Committee on Appropriations, the Chairman of the Subcommittee on Defense of the Committee on Appropriations, the first Chairman of the Select Committee on Intelligence, the Chairman of the Committee on Indian Affairs, the Chairman of the Democratic Steering Committee, the Chairman of the Committee on Commerce, Science, and Transportation, the Chairman of the Committee on Rules and Administration, the Chairman of the Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, and the Secretary of the Democratic Conference;

Whereas Senator Daniel K. Inouye enlisted in the Army after the attacks on Pearl Harbor in 1941 and fought heroically in the Italian theater even after being wounded; and

Whereas Senator Daniel K. Inouye received a Distinguished Service Cross, a Bronze Star, a Purple Heart with cluster, and 12 other medals and citations before receiving the Medal of Honor from President William J. Clinton in June 2000: Now, therefore, be it

Resolved, That the Senate designates room S–126 of the United States Capitol as the ''Senator Daniel K. Inouye Room'', in recognition of his service to the Senate and the people of the United States.

SENATE CONCURRENT RESOLUTION 7—EXPRESSING THE SENSE OF CONGRESS REGARDING CONDITIONS FOR THE UNITED STATES BECOMING A SIGNATORY TO THE UNITED NATIONS ARMS TRADE TREATY, OR TO ANY SIMILAR AGREEMENT ON THE ARMS TRADE

Mr. MORAN (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mr. FLAKE, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. PAUL, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 7

Whereas in October 2009, the United States voted in the United Nations General Assembly to participate in the negotiation of the United Nations Arms Trade Treaty;

Whereas in July 2012, the United Nations Conference on the Arms Trade Treaty convened to negotiate the text of the Arms Trade Treaty;

Whereas in December 2012, the United Nations General Assembly voted to hold a final negotiating conference on the Arms Trade Treaty in March 2013, on the basis of the text of July 2012;

Whereas the Arms Trade Treaty poses significant risks to the national security, foreign policy, and economic interests of the United States as well as to the constitutional rights of United States citizens and United States sovereignty;

Whereas the Arms Trade Treaty fails to expressly recognize the fundamental, individual right to keep and to bear arms and the individual right of personal self-defense, as well as the legitimacy of hunting, sports shooting, and other lawful activities pertaining to the private ownership of firearms and related materials, and thus risks infringing on freedoms protected by the Second Amendment;

Whereas the Arms Trade Treaty places free democracies and totalitarian regimes on a basis of equality, recognizing their equal right to transfer arms, and is thereby dangerous to the security of the United States;

Whereas the Arms Trade Treaty's criteria for assessing the potential consequences of arms transfers are vague, easily politicized, and readily manipulated;

Whereas the Arms Trade Treaty's model for using these criteria is incompatible with the decision-making model for arms transfers employed by the United States under Presidential Decision Directive 34, which dates from 1995;

Whereas the Arms Trade Treaty will create opportunities to engage in ''lawfare'' against the United States via the misuse of the treaty's criteria in foreign tribunals and international fora;

Whereas the Arms Trade Treaty could hinder the United States from fulfilling its strategic, legal, and moral commitments to provide arms to allies such as the Republic of China (Taiwan) and the State of Israel;

Whereas the creation of an international secretariat to administer and assist in the implementation of the Arms Trade Treaty risks the delegation of authority to a bureaucracy that is not accountable to the people of the United States;