

Articles shall remain exempt from the Scope of the Treaty and the Treaty shall apply only to non-exempt Defense Articles required for the program.

(3) Investigations and reports of alleged violations.

It is the understanding of the United States that the words "as appropriate" in Section 10(3)(f) of the Implementing Arrangement do not detract in any way from the obligation in Article 13(3) of the Treaty, that "Each Party shall promptly investigate all suspected violations and reports of alleged violations of the procedures established pursuant to this Treaty, and shall promptly inform the other Party of the results of such investigations."

(4) Exempt defense articles.

It is the understanding of the United States that if one Party to the Treaty exempts a type of Defense Articles from the scope of the Treaty pursuant to Article 3(2) of the Treaty, then Defense Articles of that type will be treated as exempt by both Parties to the Treaty.

(5) Intermediate consignees.

It is the understanding of the United States that any intermediate consignee of an Export from the United States under the Treaty must be a member of the Approved Community or otherwise approved by the United States Government.

(6) Scope of treaty exemption.

The United States interprets the Treaty not to exempt any person or entity from any United States statutory and regulatory requirements, including any requirements of licensing or authorization, other than those included in the International Traffic in Arms Regulations, as modified or amended. Accordingly, the United States interprets the term 'license or other written authorization' in Article 2 and the term 'licenses or other authorizations' in Article 6(1), as these terms apply to the United States, and the term 'prior written authorization by the United States Government' in Article 7, to refer only to such licenses, licensing requirements, and other authorizations as are required or issued by the United States pursuant to the International Traffic in Arms Regulations, as modified or amended; and the United States interprets the reference to 'the applicable licensing requirements and the implementing regulations of the United States Arms Export Control Act' in Article 13(1) to refer only to the applicable licensing requirements under the International Traffic in Arms Regulations, as modified or amended.

Section 4. Declarations.

The Senate's advice and consent to the ratification of the Treaty with Australia Concerning Defense Trade Cooperation is subject to the following declarations:

(1) Self-execution.

This Treaty is not self-executing in the United States, notwithstanding the statement in the preamble to the contrary.

(2) Private rights.

This Treaty does not confer private rights enforceable in United States courts.

(3) Intellectual property rights.

No liability will be incurred by or attributed to the United States Government in connection with any possible infringement of privately owned patent or proprietary rights, either domestic or foreign, by reason of the United States Government's permitting Exports or Transfers or its approval of Re-exports or Re-transfers under the Treaty.

Section 5. Definitions.

As used in this resolution:

(1) The terms "Treaty with Australia Concerning Defense Trade Cooperation" and "Treaty" mean the Treaty between the Government of the United States of America and the Government of Australia Concerning De-

fense Trade Cooperation, done at Sydney, September 5, 2007.

(2) The terms "Implementing Arrangement Pursuant to the Treaty" and "Implementing Arrangement Pursuant to the Treaty between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, which was signed in Washington on March 14, 2008.

(3) The terms "Defense Articles," "Export," "Re-export," "Re-transfer," "Transfer," "Approved Community," "United States Community," "Australian Community," and "Scope" have the meanings given to them in Article 1 of the Treaty.

(4) The terms "Management Board" and "Management Plan" have the meanings given to them in Section 1 of the Implementing Arrangement.

(5) The terms "person" and "foreign person" have the meaning given to them by section 38(g)(9) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)). The term "U.S. person" has the meaning given to it by part 120.15 of title 22, Code of Federal Regulations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 3839. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

By Mr. CASEY (for himself and Mr. HARKIN):

S. 3840. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. CRAPO, Mr. CARDIN, Mr. ALEXANDER, Mr. CASEY, Mrs. MURRAY, Mrs. LINCOLN, Ms. LANDRIEU, Mr. BURRIS, Mr. UDALL of Colorado, Mr. BINGAMAN, Mr. KERRY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. BENNETT, Mr. FEINGOLD, Ms. CANTWELL, Mr. CORKER, Mr. REED, Mr. UDALL of New Mexico, Mr. PRYOR, Ms. STABENOW, Mr. WHITEHOUSE, Mr. INOUE, and Mr. LEVIN):

S. Res. 644. A resolution designating the week beginning October 10, 2010, as "National Wildlife Refuge Week"; considered and agreed to.

By Mr. ENSIGN:

S. Res. 645. A resolution expressing the sense of the Senate regarding the Parliamentary elections to be held in Venezuela on September 26, 2010; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. LEVIN, Mr. BENNETT, Mr. DURBIN, Mr. CRAPO, Mr. CASEY, and Mr. COCHRAN):

S. Res. 646. A resolution designating Thursday, November 18, 2010, as "Feed America Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 730

At the request of Mr. ENSIGN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 730, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3773

At the request of Mr. SCHUMER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3708, a bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals.

S. 3773

At the request of Mr. JOHANNES, his name was added as a cosponsor of S. 3773, a bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes.

S. 3834

At the request of Ms. KLOBUCHAR, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3834, a bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to require the appointment of a member of the Science Advisory Board based on the recommendation of the Secretary of Agriculture.

S. CON. RES. 71

At the request of Mr. FEINGOLD, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. Con. Res. 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

S. RES. 642

At the request of Mr. INOUE, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. Res. 642, a resolution congratulating the National Institute of Nursing Research on the occasion of its 25th anniversary.

S. RES. 643

At the request of Mr. INOUE, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. Res. 643, a resolution designating the week beginning October 3, 2010, as "National Nurse-Managed Health Clinic Week".