

to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(e) **CONTRACT AUTHORITY.**—To the extent provided in advance in appropriation Acts, the Commission may enter into contracts to enable the Commission to discharge its duties under this Act.

(f) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 10. TERMINATION.

The Commission shall terminate 60 days after submitting its legislative proposal.

SEC. 11. ALTERNATIVE LEGISLATIVE PROPOSAL OF THE PRESIDENT.

The President may, not later than 120 days after the Commission submits its legislative proposal, submit to Congress an alternative to the legislative proposal submitted by the Commission.

SEC. 12. ALTERNATIVE LEGISLATIVE PROPOSAL OF THE COMMITTEE ON THE BUDGET.

The Committee on the Budget of either House may, in consultation with the relevant committees of their respective House and not later than 120 days after the Commission submits its legislative proposal, have published in the Congressional Record an alternative to the legislative proposal submitted by the Commission.

SEC. 13. CONSIDERATION OF LEGISLATION.

(a) **INTRODUCTION.**—On the first legislative day after the Commission submits its legislative proposal, the Speaker of the House of Representatives and the Majority Leader of the Senate shall introduce (by request) the legislation submitted by the Commission.

(b) **IN THE HOUSE OF REPRESENTATIVES.**—

(1) **PRIVILEGED CONSIDERATION.**—In the House of Representatives, if a committee to which the legislation has been referred has not reported the legislation before the expiration of the 120-day period described in section 12, then—

(A) that committee shall be discharged from consideration of the legislation;

(B) the legislation shall be placed on the appropriate calendar; and

(C) a motion to proceed to the consideration of the legislation is highly privileged and is not debatable.

(2) **AMENDMENTS LIMITED.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), an amendment to the legislation may not be offered in the House of Representatives.

(B) **PERMITTED AMENDMENTS.**—(i) Any Member may offer, as an amendment in the nature of a substitute, the alternative legislative proposal submitted by the President.

(ii) Any Member may offer, as an amendment in the nature of a substitute, the legislative proposal submitted by the Commission.

(iii) The chairman of the House Committee on the Budget may offer, as an amendment in the nature of a substitute, the alternative legislative proposal published in the Congressional Record by the House Committee on the Budget.

(c) **POINT OF ORDER.**—

(i) **IN GENERAL.**—An amendment offered under subparagraph (B) is subject to a point of order if—

(I) the amendment is not accompanied by a long-term CBO cost estimate of the amendment or a long-term revenue estimate of the amendment by the Joint Committee of Taxation (including the information described in paragraph (1) and (2) of section 14(b)); or

(II) the long-term CBO cost estimate of the amendment is greater than the long-term CBO cost estimate of the legislative proposal submitted by the Commission.

(ii) **WAIVER OF POINT OF ORDER.**—A point of order raised in accordance with clause (i) may only be waived or suspended in the House of Representatives by a resolution devoted solely to the subject of waiving that point of order.

(D) **MULTIPLE AMENDMENTS.**—If more than one amendment is offered under this paragraph, then each amendment shall be considered separately, and the amendment receiving both a majority and the highest number of votes shall be the amendment adopted.

(3) **TRANSMITTAL TO THE SENATE.**—If legislation passes the House pursuant to subsection (b), the Clerk of the House of Representatives shall cause the legislation to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the legislation is passed. The legislation shall be referred to the Senate Committee on the Budget.

(c) **IN THE SENATE.**—

(1) **AUTOMATIC DISCHARGE OF SENATE BUDGET COMMITTEE.**—If the Senate Committee on the Budget has not reported the legislation before the expiration of the 120-day period described in section 12, then—

(A) the committee shall be discharged from consideration of the legislation; and

(B) a motion to proceed to the consideration of the legislation is highly privileged and is not debatable.

(2) **CONSIDERATION.**—Consideration of such legislation shall be pursuant to the procedures set forth in section 305 of the Congressional Budget Act of 1974.

(3) **AMENDMENTS LIMITED.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), an amendment to the legislation may not be offered in the Senate.

(B) **PERMITTED AMENDMENTS.**—(i) Any Member may offer, as an amendment in the nature of a substitute, the alternative legislative proposal submitted by the President.

(ii) Any Member may offer, as an amendment in the nature of a substitute, the legislative proposal submitted by the Commission.

(iii) The chairman of the Senate Committee on the Budget may offer, as an amendment in the nature of a substitute, the alternative legislative proposal published in the Congressional Record by the Senate Committee on the Budget.

(c) **POINT OF ORDER.**—

(i) **IN GENERAL.**—An amendment offered under subparagraph (B) is subject to a point of order if—

(I) the amendment is not accompanied by a long-term CBO cost estimate of the amendment or a long-term revenue estimate of the amendment by the Joint Committee of Taxation (including the information described in paragraph (1) and (2) of section 14(b)); or

(II) the long-term CBO cost estimate of the amendment is greater than the long-term CBO cost estimate of the legislative proposal submitted by the Commission.

(ii) **WAIVER OF POINT OF ORDER.**—A point of order raised in accordance with clause (i) may only be waived or suspended in the Senate by an affirmative vote of $\frac{2}{3}$ of the Members duly chosen and sworn.

(D) **MULTIPLE AMENDMENTS.**—If more than one amendment is offered under this paragraph, then each amendment shall be considered separately, and the amendment receiving both a majority and the highest number of votes shall be the amendment adopted.

(d) **APPLICATION OF CONGRESSIONAL BUDGET ACT.**—To the extent that they are relevant and not inconsistent with this Act, the provisions of title III of the Congressional Budget Act of 1974 shall apply in the House of Representatives and the Senate to legislation considered under this section.

(e) **RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.**—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill introduced pursuant to this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 14. LONG-TERM CBO COST ESTIMATE.

(a) **PREPARATION AND SUBMISSION.**—When the Commission, the President, or the chairman of the Committee on the Budget of either House submits a written request to the Director of the Congressional Budget Office for a long-term cost estimate by the Congressional Budget Office (referred to in this Act as a “long-term CBO cost estimate”) of legislation proposed under this Act or an amendment referred to in section 13(b)(2)(B), the Director shall prepare the estimate and have it published in the Congressional Record as expeditiously as possible.

(b) **CONTENT.**—A long-term CBO cost estimate shall include—

(1) an estimate of the cost of each provision of the legislation or amendment for the first fiscal year it would take effect and for each of the 50 fiscal years thereafter; and

(2) a statement of any estimated future costs not reflected by the estimate described in paragraph (1).

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 99—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE POLICY OF THE UNITED STATES AT THE 58TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION

Ms. SNOWE (for herself, Ms. CANTWELL, Mr. KERRY, Mrs. DOLE, Mrs. BOXER, Mr. FEINGOLD, Mr. REED, Mr. LAUTENBERG, Mr. MCCAIN, Mr. LIEBERMAN, Ms. COLLINS, Mr. WYDEN, Mr. DODD, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. LEVIN, Mr. BIDEN, Mr. DAYTON, Mr. JEFFORDS, Ms. LANDRIEU, and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 99

Whereas whales have very low reproductive rates, making many whale populations extremely vulnerable to pressure from commercial whaling;

Whereas whales migrate throughout the world's oceans and international cooperation is required to successfully conserve and protect whale stocks;

Whereas in 1946 a significant number of the nations of the world adopted the International Convention for the Regulation of Whaling, which established the International Whaling Commission to provide for the proper conservation of whale stocks;

Whereas in 2003 the Commission established a Conservation Committee, open to all members of the Commission, for the purpose

of facilitating efficient and effective coordination and development of conservation recommendations and activities, which are fully consistent with the conservation objectives stated in the 1946 Convention;

Whereas the Commission adopted a moratorium on commercial whaling in 1982 in order to conserve and promote the recovery of whale stocks, many of which had been hunted to near extinction by the commercial whaling industry;

Whereas the rights of indigenous people to whale for subsistence purposes has been specifically recognized under the 1946 Convention;

Whereas the Commission has designated the Indian Ocean and part of the ocean around Antarctica as whale sanctuaries to further enhance the recovery of whale stocks;

Whereas many nations of the world have designated waters under their jurisdiction as whale sanctuaries where commercial whaling is prohibited, and additional regional whale sanctuaries have been proposed by nations that are members of the Commission;

Whereas two member nations that lodged objections to the Commission's moratorium on commercial whaling when it was adopted continue to hold such objections, a third member nation asserted a reservation to the moratorium on rejoining the Commission, and one member nation is currently conducting commercial whaling operations in spite of the moratorium and the protests of other nations;

Whereas the Commission has adopted several resolutions at recent meetings asking member nations to halt commercial whaling activities conducted under reservation to the moratorium and to refrain from issuing special permits for research involving the killing of whales;

Whereas one member nation of the Commission has taken a reservation to the Commission's Southern Ocean Sanctuary and also continues to conduct unnecessary lethal scientific whaling in the Southern Ocean and in the North Pacific Ocean;

Whereas one member nation is conducting unnecessary lethal scientific whaling in the Atlantic;

Whereas whale meat and blubber is being sold commercially from whales killed pursuant to such unnecessary lethal scientific whaling, further undermining the moratorium on commercial whaling;

Whereas the Commission has repeatedly expressed serious concerns about the scientific need for such lethal research and recognizes the importance of demonstrating and expanding the use of non-lethal scientific research methods;

Whereas more than 9,150 whales have been killed in lethal scientific whaling programs since the adoption of the commercial whaling moratorium and the lethal take of whales under scientific permits has increased both in quantity and species, and a new program would take minke, Bryde's, sei, fin, humpback, and sperm whales;

Whereas, one member nation is harvesting whales on an unprecedented scale in the name of scientific research, and plans to take up to 935 minke whales, 50 humpback whales, and 50 fin whales in the Antarctic, and 220 minke whales, 50 Bryde's whales, 100 sei whales and 10 sperm whales in the North Pacific. Sei, sperm, humpback, and fin whales are all endangered species;

Whereas engaging in commercial whaling under reservation and lethal scientific whaling undermines the conservation program of the Commission;

Whereas discussions are taking place within the Commission on a Revised Management Scheme (RMS) that would regulate any possible future commercial whaling;

Whereas any decision to lift the moratorium against commercial whaling, or to allow commercial whaling in any other form, must be taken independently from negotiations and adoption of an RMS;

Whereas any RMS must include or be conditioned on the concurrent adoption of provisions similar to those in other international agreements related to fisheries and marine mammals, including transparent and neutral observer mechanisms, and effective compliance and dispute settlement mechanisms;

Whereas to be effective, if an RMS is adopted, any future commercial whaling must take place pursuant to the RMS, and without reservation to any of its substantive provisions; and

Whereas any decision to lift the moratorium against commercial whaling must be conditioned on the immediate cessation of lethal scientific whaling: Now, therefore, be it

Resolved, by the Senate (the House of Representatives concurring) That it is the sense of the Congress that—

(1) at the 58th Annual Meeting of the International Whaling Commission the United States should—

(A) remain firmly opposed to commercial whaling and any linking of adoption of a Revised Management Scheme (RMS) to the lifting of the commercial whaling moratorium or allowing commercial whaling in any other form;

(B) initiate and support efforts to ensure that all activities conducted under reservations to the Commission's moratorium or sanctuaries are ceased;

(C) seek to ensure that any RMS includes, or is conditioned on the concurrent adoption of provisions similar to those in other international agreements related to fisheries and marine mammals, including transparent and neutral observer mechanisms, and effective compliance and dispute settlement mechanisms;

(D) insist that any future commercial whaling must take place pursuant to the RMS without reservations to any of its substantive provisions, and that lethal scientific whaling must immediately cease upon the commencement of any commercial whaling;

(E) uphold the rights of indigenous people to whale for subsistence purposes, and firmly reject any attempts to compromise such rights or to equate commercial whaling with such rights;

(F) initiate or support efforts to end the lethal taking of whales for scientific purposes, seek support for expanding the use of non-lethal research methods, and seek to end the sale of whale meat and blubber from whales killed for unnecessary lethal scientific research;

(G) support proposals for the permanent protection of whale populations through the establishment of whale sanctuaries and other zones of protection in which commercial whaling is prohibited;

(H) support efforts to expand data collection on whale populations, monitor and reduce whale bycatch and other incidental impacts, and otherwise expand whale conservation efforts;

(I) support the adoption of an active program of work by the Conservation Committee to address the full range of threats to whales, and otherwise expand whale conservation efforts;

(J) call upon the Contracting Parties to the Convention to submit to the Commission for discussion within the Conservation Committee national approaches, including laws, regulations and other initiatives, that further the conservation of cetaceans; and

(2) the United States should make full use of all appropriate diplomatic mechanisms, Federal law, relevant international laws and

agreements, and other appropriate mechanisms to implement the goals set forth in paragraph (1).

Ms. SNOWE. Mr. President, I rise today to introduce a resolution that is vital to the protection of our oceans' large whale populations. Representatives from 69 nations will gather this month in St. Kitt's for the 58th meeting of the International Whaling Commission. The debates in which they will engage will address the future of the moratorium on commercial whaling and other limitations on worldwide whale hunting. For many years, the United States and our allies in the fight to conserve whales have held a majority position in this body, but indications suggest that this year our majority may be lost. In light of this, it is more imperative than ever that the United States clearly expresses its adamant opposition to any resumption of commercial whaling and continues to set an example as a leader in the fight to uphold whale conservation policies.

Before the current commercial ban was instituted in 1982, member states attempted to manage whaling with a quota system. Due to ineffective reporting of catches by whaling nations, this program was an abject failure, and it directly necessitated implementation of the commercial ban. Yet over the past year, countries that favor lifting the ban on commercial whaling have continued their efforts to convince nations with no inherent interest in whaling to join the IWC and support measures to reduce whaling restrictions. The ultimate goal of these member states is to lift the moratorium on commercial whaling. While it appears that the prowhaling states may have a majority at this year's meeting, they likely lack the three-quarters majority required to lift the ban. However, a majority would enable these states to make procedural changes that could facilitate their efforts in years to come. Any efforts to remove or weaken the prohibition would set whale conservation efforts back decades and fly in the face of the United States and other like-minded countries' well-established position in support of sound, effective whale conservation.

My colleagues and I introduce this resolution to express our ardent support for the U.S. negotiators as they work to prevent prowhaling states from lifting the ban, and as our delegates attempt to enhance existing conservation methods. Even now, with commercial whaling prohibited, certain IWC member states plan to continue to expand their killing of large numbers of whales—including some endangered species—for so-called scientific purposes. However, the IWC and leading marine mammal scientists have found that lethal whaling is no longer necessary to advance scientific research. In addition, some member states continue to whale commercially, harvesting an increasing number of whales with every passing year, by taking reservations to the moratorium.

Such activities directly undermine the effectiveness of the IWC as a whole and weaken our hard-fought conservation efforts.

Although opponents of the commercial whaling ban are unlikely to overturn the moratorium this year, we understand that such a ban is unlikely to last forever. To this end, the IWC may again consider a movement towards a revised management scheme, or RMS, to govern future whaling conservation and management decisions, including a framework for a sustainable harvest. But certain provisions must be part of any RMS if the United States is to support such an action. We must ensure that any RMS contains an increased reliance on sustainability of populations and legitimate scientific knowledge and research. It must also close any existing loopholes—such as the scientific exception—that allow take of whales outside the scheme, had include appropriate compliance, enforcement, and transparency measures.

I thank my colleagues who have signed on as cosponsors of this resolution for their ongoing support of marine conservation: Senators CANTWELL, KERRY, DOLE, BOXER, FEINGOLD, REED, LAUTENBERG, MCCAIN, LIEBERMAN, COLLINS, WYDEN, DODD, FEINSTEIN, MENENDEZ, LEVIN, BIDEN, DAYTON, JEFFORDS, and LANDRIEU. Their actions will help ensure that whale populations, so critical to our marine ecosystems, continue to grace our oceans for generations to come.

We must continue to support and strengthen the international agreements that govern activities detrimental to the well-being of some of the world's most threatened large mammals. Changes in the political climate have made our commitment to the protection of these species more vital than ever before, and I urge my colleagues to support swift passage of this resolution.

Ms. CANTWELL. Mr. President, as ranking member of the Fisheries and Coast Guard Subcommittee of the Committee on Commerce, Science, and Transportation, I am pleased to join the chairwoman of the subcommittee, Senator SNOWE, in submitting a resolution regarding the policy of the United States at the upcoming 58th Annual Meeting of the International Whaling Commission, IWC. I wish to also thank my Senate colleagues Mr. KERRY, Mrs. DOLE, Ms. BOXER, Mr. FEINGOLD, Mr. REED, Mr. LAUTENBERG, Mr. MCCAIN, Mr. LIEBERMAN, Ms. COLLINS, Mr. WYDEN, Mr. DODD, Ms. FEINSTEIN, Mr. MENENDEZ, Mr. LEVIN, Mr. BIDEN, Mr. DAYTON, Mr. JEFFORDS, Ms. LANDRIEU, and Mr. KENNEDY for cosponsoring as well.

The resolution we introduce today comes at a time when the United States and other like-minded nations are facing new and intensifying challenges within the IWC to adopt policies detrimental to our stated opposition to commercial and lethal scientific whaling.

In 1982, due to the severe impacts of whaling on the populations of large whale species, the IWC adopted an indefinite moratorium on all commercial whaling. Although Japan, Iceland, Norway, and other countries in favor of commercial whaling do not yet have the necessary three-quarters majority on the IWC to lift the moratorium, for the first time they may have the simple majority needed to control procedure and to adopt resolutions contrary to the longstanding positions of the IWC. Policies that the United States has opposed in the past, such as secret ballots and statements supporting lethal scientific whaling, could be adopted under a simple majority.

As Japan and Iceland have gained support for their prowhaling position within the IWC, they have become even more aggressive in their utilization of a provision in the convention that allows countries to issue themselves permits for "scientific whaling". These permits are currently being used to justify killing whales in the name of science and then later selling the meat commercially. More than 9,150 whales have been killed in lethal scientific whaling programs since the adoption of the commercial whaling moratorium, and Japan has plans for a major new program that would more than double its takes of minke whales and expand such whaling to Byrde's, sei, fin, sperm and humpback whales. Furthermore, Japan plans to hunt in the commission's designated Southern Ocean Sanctuary, an area set aside off Antarctica to facilitate whale conservation and recovery.

The IWC has repeatedly stated that such lethal takes are not necessary for scientific research. Sei, sperm, humpback, and fin whales are all endangered species, and hunting these species undermines the IWC's whale conservation program.

As was the case last year, discussions are ongoing in the IWC to establish a framework, or "revised management scheme," RMS, for any future commercial whaling, should it ever occur. In this resolution, we urge the U.S. delegation to the IWC to insist that any RMS negotiations are distinct from decisions on whether to lift the moratorium on commercial whaling and that an RMS contain provisions on accountability, transparency, and compliance. As part of any RMS language, lethal scientific whaling must immediately cease upon the commencement of any commercial whaling. The resolution also recognizes the rights of indigenous people to whale for subsistence purposes and directs the U.S. delegation to reject any attempts to compromise or equate such rights to commercial whaling.

I thank Chairwoman SNOWE for her collaboration on this resolution. I will continue to work with my colleagues on this issue to ensure that whales are protected under the International Whaling Commission.

SENATE CONCURRENT RESOLUTION 100—EXPRESSING THE SENSE OF CONGRESS THAT AN ARTISTIC TRIBUTE TO COMMEMORATE THE SPEECH GIVEN BY PRESIDENT RONALD REAGAN AT THE BRANDENBURG GATE ON JUNE 12, 1987, SHOULD BE PLACED WITHIN THE UNITED STATES CAPITOL

Mr. ALLARD submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 100

Whereas the people of the United States successfully defended freedom and democracy for over 40 years in a global Cold War against an aggressive Communist tyranny;

Whereas President Ronald Wilson Reagan's demonstration of unwavering personal conviction during this conflict served to inspire millions of people throughout the United States and around the world to seek democracy, freedom, and greater individual liberty; and

Whereas Ronald Wilson Reagan's determined stand against the Soviet empire during his eight years as President served as the catalyst for the end of that regime: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring). That it is the sense of Congress that an artistic tribute to commemorate the speech given by President Ronald Reagan at the Brandenburg Gate on June 12, 1987, during which he uttered the immortal lines "Mr. Gorbachev, tear down this wall!", should be placed within the United States Capitol.

Mr. ALLARD. Mr. President, last Monday was a somber anniversary for our Nation—it marked the second anniversary of President Ronald Reagan's passing. I did not come to the floor last Monday, because I knew that today, just a week later, would be another important anniversary in Reagan's life, and one I would rather note.

Nineteen years ago, on this day in 1987, President Ronald Reagan stood at the Berlin Wall, at the Brandenburg Gate and issued his—issued liberty's—famous challenge to Soviet tyranny:

General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization: Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!

I believe the power and significance of this quote has been acknowledged. I believe history recognizes what President Reagan's steadfast determination to resist communist expansion and even the communist status quo meant to that great struggle. Many spoke on this floor 2 years ago on his contributions, and most have acknowledged the significance of those contributions.

I am submitting legislation today because President Reagan's contributions to winning the cold war, defending liberty, strengthening America and brightening our future can, in my mind, be adequately summarized by the moment he went to Berlin, stood in the shadow of a communist tyranny, summoned up the force of the American spirit, and called for the removal of the infamous wall.