

Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 84, H.R. 8: to make the repeal of the estate tax permanent.

Bill Frist, Jon Kyl, Jim Bunning, Conrad Burns, Richard Burr, Tom Coburn, Wayne Allard, Craig Thomas, George Allen, Judd Gregg, Johnny Isakson, David Vitter, John Thune, Mike Crapo, Jeff Sessions, John Ensign, Rick Santorum.

Mr. McCONNELL. I now withdraw my motion to proceed.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2005— MOTION TO PROCEED

CLOTURE MOTION

Mr. McCONNELL. I move to proceed to Calendar No. 101, S. 147, a bill related to Native Hawaiians.

On behalf of the Democratic minority, I send a motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 101, S. 147, Native Hawaiians Governing Entity.

Daniel K. Akaka, Daniel K. Inouye, Charles Schumer, Jack Reed, Patrick Leahy, Joe Biden, Barbara Mikulski, Evan Bayh, Barbara Boxer, Frank Lautenberg, Harry Reid, Jay Rockefeller, Richard Durbin, Jeff Bingaman, Edward Kennedy, Herb Kohl, James M. Jeffords, Mark Dayton, Jon Kyl, Norm Coleman.

Mr. McCONNELL. Mr. President, I ask unanimous consent the live quorums required under rule XXII be waived.

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

Mr. McCONNELL. Mr. President and Members of the Senate, a clarification. These cloture votes will occur on Thursday. We will set aside some time for debate on both of these issues tomorrow afternoon.

COMMENDING THE UNIVERSITY OF VIRGINIA CAVALIERS MEN'S LACROSSE TEAM

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 501, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 501) commending the University of Virginia Cavaliers men's lacrosse team for winning the 2006 National Collegiate Athletic Association Division I National Lacrosse Championship.

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

Mr. McCONNELL. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider by laid upon the table.

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

The resolution (S. Res. 501) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 501

Whereas the students, alumni, faculty, and supporters of the University of Virginia are to be congratulated for their commitment to, and pride in, the University of Virginia Cavaliers national champion men's lacrosse team;

Whereas the University of Virginia Cavaliers men's lacrosse team won the National Collegiate Athletic Association (NCAA) championship game 15-7 against the University of Massachusetts Amherst Minutemen, and became the first team in NCAA history to finish with a 17-0 record and the 12th team in NCAA history to win the national championship with an undefeated record;

Whereas the University of Virginia Cavaliers men's lacrosse team won the 2006 NCAA Division I National Championship, which was dominated by the Cavaliers possession, due to the impressive play of Drew Thompson who won 8 out of 12 face offs, goals scored by Matt Poskay, Ben Rubeor, Kyle Dixon, and Danny Glading, sparkling goaltending by Kip Turner, and the outstanding performance of NCAA Men's Division I Lacrosse Tournament's Most Outstanding Player Matt Ward;

Whereas the University of Virginia Cavaliers men's lacrosse team added the Division I title to 5 previous national championships;

Whereas every player on the University of Virginia lacrosse team, Will Barrow, Garrett Billings, Mike Britt, Douglas Brody, Patrick Buchanan, Kevin Coale, Chris Conlon, Michael Culver, Joe Dewey, Kyle Dixon, Adam Fassnacht, Drew Garrison, Steve Giannone, Foster Gilbert, Gavin Gill, Danny Glading, Charlie Glazer, Pike Howard, Drew Jordan, Matt Kelly, Ryan Kelly, James King, Jared Little, J.J. Morrissey, Chris Ourisman, Matt Paquet, Michael "Bud" Petit, Derek Pilipiak, Max Pomper, Matt Poskay, Jack Riley, Ben Rubeor, Tim Shaw, Ricky Smith, Drew Thompson, Mike Timms, Kip Turner, Mark Wade, and Matt Ward, contributed to the team's success in this undefeated championship season;

Whereas the University of Virginia Cavaliers outstanding, creative, and motivational lacrosse Head Coach Dom Starsia has had a successful 14-year tenure as the University of Virginia's head lacrosse coach that includes 3 NCAA Division I Men's Lacrosse National Championships; and

Whereas Assistant Coaches Marc Van Arsdale and Hannon Wright deserve high commendation for their strong leadership and superb coaching support, as well as the dedication of team staff members Lorenzo Rivers, Katie Serenelli, Matt Diehl, Jade White, and Dr. Danny Mistry to the University of Virginia Cavaliers men's lacrosse team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Virginia Cavaliers men's lacrosse team for winning the 2006 National Collegiate Athletic Association Division I, National Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to Dom Starsia of the National Champion University of Virginia

Cavaliers and a copy to John T. Casteen III, the president of the University of Virginia.

CONGRATULATING CONTESTANTS OF THE 2006 SCRIPPS SPELLING BEE

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 502, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 502) congratulating all of the contestants of the 2006 Scripps National Spelling Bee.

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

Mr. LAUTENBERG. Mr. President, I rise today to congratulate the young men and women who competed in the 79th annual Scripps National Spelling Bee last week. I would like to extend special praise to Miss Katharine "Kerry" Close for winning this demanding competition. Miss Close is an eighth grade student at the H.W. Mountz School in Spring Lake, NJ, and was sponsored by the Asbury Park Press and the Home News Tribune. Other New Jersey participants included Serenity Fung of Faith Hope Love Academy in Somerset, Joseph Reed of Deerfield Township Elementary School in Rosenhayn, Austin Tamutus of MacFarland Junior School in Bordentown, Tianqi Wang of Ramapo Ridge Middle School in Mahwah, and Nisha Sadanand Naik of St. Anne's Parish School in Jersey City. I am proud of all of them.

Miss Close—showing true grace under pressure—won in the 20th round by correctly spelling "ursprache," which is defined as "a parent language, especially one reconstructed from the evidence of later languages." Miss Close is a five-time veteran of the National Spelling Bee, first competing when she was 9. She tied for seventh place last year. Over the past 5 years, Miss Close has spent between 1 and 2 hours each day looking up words and their origins in order to prepare for the contests. Her dedication should serve as an inspiration to all of us.

The 2006 Scripps National Spelling Bee, which is administered by the E.W. Scripps Company and 268 local sponsors, is the largest and longest running educational promotion in the United States. This competition began with 275 competitors from across the United States, American Samoa, the Bahamas, Canada, Europe, Guam, Jamaica, New Zealand, Puerto Rico, and the U.S. Virgin Islands who qualified for the contest by winning locally sponsored spelling bees.

I hope that my colleagues will join me in congratulating Miss Close and the other 274 competitors in this year's Scripps National Spelling Bee.

Mr. McCONNELL. Mr. President, I ask unanimous consent the resolution

be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 502) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 502

Whereas the Scripps National Spelling Bee is the largest and longest-running educational promotion in the United States, and is administered by the E.W. Scripps Company and 268 local sponsors, most of whom publish daily and weekly newspapers;

Whereas the 2006 Scripps National Spelling Bee began with 275 competitors from across the United States, American Samoa, the Bahamas, Canada, Europe, Guam, Jamaica, New Zealand, Puerto Rico, and the Virgin Islands, each of whom had qualified for the contest by winning locally-sponsored spelling bees;

Whereas Miss Katharine "Kerry" Close is an 8th-grade student at the H.W. Mountz School in Spring Lake, New Jersey;

Whereas the 13-year-old Miss Close first competed in the Scripps National Spelling Bee as a 9-year-old, tied for 7th place in 2005, and competed for the 5th time this year, sponsored by the Asbury Park Press and the Home News Tribune;

Whereas Miss Close has spent between 1 hour and 2 hours a day looking up words and their origins during the previous 5 years, yet has still found time for sailing, playing soccer, and going to the mall and the movies with her friends;

Whereas Miss Close survived 19 rounds of fierce competition this year and won the 2006 Scripps National Spelling Bee in the 20th round by correctly spelling "ursprache", which is defined as "a parent language, especially one reconstructed from the evidence of later languages"; and

Whereas the achievement of Miss Close brings an immense sense of pride to H.W. Mountz School, her hometown of Spring Lake, and the entire State of New Jersey: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates all of the contestants of the 2006 Scripps National Spelling Bee; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the H.W. Mountz School, located in Spring Lake, New Jersey.

UNITED STATES-RUSSIA POLAR BEAR CONSERVATION AND MANAGEMENT ACT OF 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 365, S. 2013.

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

The assistant legislative clerk read as follows:

A bill (S. 2013) to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population.

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

Mr. McCONNELL. I ask unanimous consent the amendment at the desk be agreed to, the bill, as amended, be read

the third time and passed, the motion to reconsider be laid upon the table and any statements be printed in the RECORD.

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

The amendment (No. 4190) was agreed to, as follows:

(Purpose: To reduce the amount authorized to be appropriated for each of the fiscal years)

On page 20, line 16, strike "\$3,000,000" and insert "\$1,000,000".

On page 20, line 20, strike "\$500,000" and insert "\$150,000".

On page 20, line 25, strike "\$500,000" and insert "\$150,000".

The bill (S. 2013), as amended, was ordered to be engrossed for a third reading, read the third time and passed, as follows:

S. 2013

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 "United States-Russia Polar Bear Conservation and Management Act of 2005".

SEC. 2. AMENDMENT OF MARINE MAMMAL PROTECTION ACT OF 1972.

(a) IN GENERAL.—The Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) is amended by adding at the end thereof the following:

"TITLE V—ALASKA-CHUKOTKA POLAR BEARS

"SEC. 501. DEFINITIONS.

"In this title:

"(1) AGREEMENT.—The term 'Agreement' means the Agreement Between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population, signed at Washington, D.C., on October 16, 2000.

"(2) ALASKA NANUUQ COMMISSION.—The term 'Alaska Nanuuq Commission' means the Alaska Native entity, in existence on the date of enactment of this Act, that represents all villages in the State of Alaska that engage in the annual subsistence taking of polar bears from the Alaska-Chukotka population and any successor entity.

"(3) IMPORT.—The term 'import' means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, without regard to whether the landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

"(4) NATIVE PEOPLE.—The term 'Native people' has the meaning given the term in the Agreement.

"(5) POLAR BEAR PART OR PRODUCT.—The term 'part or product of a polar bear' means any polar bear part or product, including the gall bile and gall bladder.

"(6) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(7) TAKING.—The term 'taking' means hunting, capturing, or killing a polar bear.

"(8) UNITED STATES-RUSSIA POLAR BEAR COMMISSION.—The term 'United States-Russia Polar Bear Commission' means the binational commission established under article 8 of the Agreement.

"(9) UNITED STATES SECTION.—The term 'United States Section' means the commissioners appointed by the President under section 505 of this title.

"SEC. 502. PROHIBITIONS.

"(a) IN GENERAL.—It is unlawful for any person—

"(1) to take any polar bear in violation of the Agreement;

"(2) to take any polar bear in violation of any annual taking limit or other restriction on the taking of polar bears that is adopted by the United States-Russia Polar Bear Commission pursuant to the Agreement;

"(3) to import, export, possess, transport, sell, receive, acquire, purchase, exchange, barter, or offer to sell, exchange, or barter any polar bear, or any part or product of a polar bear, that is taken in violation of the Agreement or any limit or restriction on taking that is adopted by the United States-Russia Polar Bear Commission;

"(4) to import, export, possess, transport, sell, receive, acquire, purchase, exchange, or barter, offer to sell, exchange, or barter, polar bear gall bile or a polar bear gall bladder;

"(5) to attempt to commit, solicit another person to commit, or cause to be committed, any offense under this subsection; or

"(6) to violate any regulation promulgated by the Secretary to implement any of the prohibitions established in this subsection.

"(b) EXCEPTIONS.—For the purpose of forensic testing or any other law enforcement purpose, a government official may import a polar bear or any part or product of a polar bear.

"SEC. 503. ADMINISTRATION AND ENFORCEMENT.

"(a) IN GENERAL.—The Secretary, acting through the United States Fish and Wildlife Service, shall do all things necessary and appropriate, including the promulgation of regulations, to implement, enforce, and administer the provisions of the Agreement on behalf of the United States. The Secretary shall consult with the Secretary of State, the Marine Mammal Commission, and the Alaska Nanuuq Commission on matters involving the implementation of the Agreement. The Secretary may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency, any State agency, or the Alaska Nanuuq Commission for purposes of carrying out this title or the Agreement. Any person authorized by the Secretary under this subsection to enforce this title or the Agreement shall have the powers and authorities that are enumerated in section 6(b) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(b)).

"(b) FORFEITURE.—

"(1) REQUIREMENT.—

"(A) IN GENERAL.—A polar bear, or any part or product of a polar bear, that is (or attempted to be) imported, exported, taken, possessed, transported, sold, received, acquired, purchased, exchanged, or bartered or offered for sale, exchange, or barter, or purchase, in violation of this title, shall be subject to seizure and forfeiture to the United States without any showing that may be required for assessment of a civil penalty or for criminal prosecution.

"(B) EQUIPMENT.—Each gun, trap, net, or other equipment used, and any vessel, vehicle, aircraft, or other means of transportation used, to aid in the violation or attempted violation of this title shall be subject to forfeiture to the United States upon conviction of a criminal violation in accordance with subsection (e).

"(2) INSPECTION.—

"(A) IN GENERAL.—Any person authorized by the Secretary, the Secretary of the Treasury, the Secretary of Homeland Security, or the Secretary of Commerce to enforce this title may—

"(i) detain and inspect any container, including the contents of the container, and all accompanying documents, upon importation or exportation of the container;

"(ii) search and, if the container is found to contain a polar bear or part or product of