

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.

My resolution calls for an artistic rendering of that moment in time to be painted into the Capitol, along with the other significant scenes of our Nation's past. As we walk through the building today, we can see scenes from the Nation's founding, from the Civil War, our westward expansion, even the Moon landing and *Challenger* astronauts. I would like to also see Reagan at the Brandenburg Gate. I think it would be entirely appropriate to have this image added. It would be an important reminder of the struggle this Nation undertook. It would stand for the millions of Americans who did their part for nearly half a century in that struggle, military and civilian. And it would testify to the greatness of our Nation, and the greatness of our 40th President.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4196. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4197. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4198. Mr. WARNER (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4199. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4200. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4201. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4202. Ms. CANTWELL (for herself, Mr. BIDEN, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4203. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4204. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4205. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4206. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4207. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4208. Mr. WARNER (for Mr. FRIST (for himself, Mr. REID, Mr. WARNER, and Mr. LEVIN)) proposed an amendment to the bill S. 2766, supra.

TEXT OF AMENDMENTS

SA 4196. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 648. EXPANSION OF COMBAT-RELATED SPECIAL COMPENSATION ELIGIBILITY FOR CHAPTER 61 MILITARY RETIREES.

(a) **ELIGIBILITY.**—Subsection (c) of section 1413a of title 10, United States Code, is amended by striking “entitled to retired pay who—” and all that follows and inserting “who—

“(1) is entitled to retired pay (other than by reason of section 12731b of this title); and

“(2) has a combat-related disability.”.

(b) **COMPUTATION.**—Paragraph (3) of subsection (b) of such section is amended—

(1) by designating the text of that paragraph as subparagraph (A), realigning that text so as to be indented 4 ems from the left margin, and inserting before “In the case of” the following heading: “IN GENERAL.—”; and

(2) by adding at the end the following new subparagraph:

“(B) **SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.**—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service, the amount of the payment under paragraph (1) for any month shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on January 1, 2006, and shall apply to payments for months beginning on or after that date.

SA 4197. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 648. EFFECTIVE DATE OF TERMINATION OF PHASE-IN OF CONCURRENT RECEIPT FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES RATED AS TOTAL BY VIRTUE OF UNEMPLOYABILITY.

(a) **IN GENERAL.**—Section 1414(a)(1) of title 10, United States Code, is amended by striking “100 percent” the first place it appears and all that follows and inserting “100 percent and in the case of a qualified retiree receiving veterans' disability compensation at the rate payable for a 100 percent disability by reason of a determination of individual

unemployability, payment of retired pay to such veteran is subject to subsection (c) only during the period beginning on January 1, 2004, and ending on December 31, 2004.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on December 31, 2004.

SA 4198. Mr. WARNER (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On 51, between lines 16 and 17, insert the following:

(a) **REPORTS ON CERTAIN DETERMINATIONS TO PROCEED BEYOND LOW-RATE INITIAL PRODUCTION.**—Section 2399(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) If, before a final decision is made within the Department of Defense to proceed with a major defense acquisition program beyond low-rate initial production, a decision is made within the Department to proceed to operational use of the program or allocate funds available for procurement for the program, the Director shall submit to the Secretary of Defense and the congressional defense committees the report with respect to the program under paragraph (2) as soon as practicable after the decision under this paragraph is made.”.

On page 51, line 17, strike “(a)” and insert “(b)”.

On page 51, line 20, insert “and the Director of Operational Test and Evaluation” after “Logistics”.

On page 51, beginning on line 22, strike “in light” and all that follows through line 23 and insert “in order to—

(A) reaffirm the test and evaluation principles that guide traditional acquisition programs; and

(B) determine how best to apply such principles to emerging acquisition approaches.

On page 52, line 4, strike “shall issue” and insert “and the Director shall jointly issue”.

On page 52, strike lines 7 through 11.

On page 52, line 12, strike “(b)” and insert “(c)”.

On page 52, line 13, strike “subsection (a)” and insert “subsection (b)”.

On page 53, line 18, strike “(c)” and insert “(d)”.

On page 53, line 25, strike “subsection (a)” and insert “subsection (b)”.

On page 54, line 4, strike “(d)” and insert “(e)”.

On page 54, line 8, strike “subsection (a)” and insert “subsection (b)”.

On page 54, line 11, strike “(e)” and insert “(f)”.

On page 54, line 15, insert before the period the following “, which length of time may be not more than 6 years from milestone B to initial operational capability”.

SA 4199. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction,