

If we may have a brief moment of reflection.

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

(moment of silence.)

Ms. MURKOWSKI. Mr. President, thank you.

By raising awareness one moment, one person at a time, we can minimize the harm that drinking during pregnancy causes to our most vulnerable population, and that is our children.

In February of 1999, there was a small group of parents who were raising children afflicted with fetal alcohol spectrum disorders. These parents set out to change the world. That small group started an online support group which quickly became a worldwide grassroots movement to observe September 9 as International Fetal Alcohol Spectrum Disorders Awareness Day. Former Senate Minority Leader Tom Daschle was instrumental in having the Senate take notice of this important issue. He has worked very hard on this issue, and continues so today. We thank him for his efforts.

This year, for the seventh consecutive year, communities across the Nation are pausing at the hour of 9:09 a.m. to acknowledge this day.

Events are occurring in cities and towns not just across the country but around the world—from Chilliwack, British Columbia, to Cape Town, South Africa, to Madagascar. Families are joining today to raise awareness of Fetal Alcohol Syndrome Disorder, or FASD.

In Alaska, Alaskans will observe this day in solemn events in Anchorage, Juneau, Kenai, Fairbanks, and other communities.

FASD is an umbrella term that describes a range of physical and mental birth defects that can occur in a fetus when a pregnant woman consumes alcohol. It is a leading cause of non-hereditary mental retardation in the United States. Many children affected by maternal drinking during pregnancy have irreversible conditions, including severe brain damage. It is causing permanent lifelong disability. We have to keep this in perspective.

FASD is 100 percent preventable. Prevention merely requires a woman to abstain from alcohol during pregnancy. Knowing that it is entirely preventable, it is amazing to me to think that every year in this country an estimated 1 in every 100 babies are born with FASD. That is about 40,000 infants annually. FASD affects more children than Down's syndrome, cerebral palsy, spina bifida, and muscular dystrophy combined.

The cost of FASD is huge: More than \$3 billion each year in direct health care costs and many times that amount in lost human potential. Lifetime health costs for an individual living with FASD can average \$860,000.

The indirect financial and social costs to the Nation are even greater, including specialized health care, education, foster care, job training, cost of incarceration, general support services.

All in all, the direct and indirect economic costs of FASD in the United States are estimated to be \$5.4 billion. FASD is found in every community in America, in Native, non-Native, rich, poor. It does not discriminate.

That is why, last February, the U.S. Surgeon General, Richard Carmona, again issued another advisory, to protect women, to completely abstain from alcohol use.

In Alaska, we have very troubling statistics as they relate to FASD. We have the highest rate of FASD in the Nation. Approximately 163 Alaskan babies are born each year affected by maternal alcohol use during pregnancy. Among our Native communities, the statistics are even worse. The rate of FASD is 15 times higher than non-Native areas in our State.

This is a disease syndrome that is 100 percent preventable. We can save so many children, so many families, so much heartache simply by increasing people's awareness of what FASD is and how we can prevent it.

In fact, prevention of FASD is seven times more cost effective than treating the disorder. That is why Senator JOHNSON and I and several other Senators from both sides of the aisle will soon introduce legislation to direct more resources toward this terrible problem. The legislation we are introducing is called the Advancing FASD Research, Prevention and Services Act. It is designed to develop and implement targeted State and community-based outreach programs to improve coordination among Federal agencies involved in FASD treatment and research by establishing stronger communication with these programs and also to improve support services for families and strengthening educational outreach efforts to doctors, teachers, judges, and others whose work puts them in contact with those with FASD.

Mr. President, 40,000 American children a year are born with FASD. Our investment today in prevention, treatment, and research will save countless and future health care costs of this devastating, but entirely preventable, disorder.

I ask my colleagues to join with Senator JOHNSON and I in supporting the advancing FASD Research, Prevention and Services Act.

Today, on Fetal Alcohol Awareness Day, let us remember all innocent babies afflicted with this disorder and let us imagine the potential they could have but for this damage from alcohol. I hope we continue to recognize, to pause in the ninth hour of the ninth day of each September until fetal alcohol syndrome disorders are eradicated.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

GREAT APE CONSERVATION ACT OF 2000

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of calendar No. 194, S. 1250.

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

The assistant legislative clerk read as follows:

A bill (S. 1250) to reauthorize the Great Ape Conservation Act of 2000.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Environment and Public Works, with amendments, as follows:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 1250

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

SECTION 1. GREAT APE CONSERVATION ASSISTANCE.

Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended—

(1) in subsection (d)—

(A) in paragraph (4)(C), by striking “or” after the semicolon at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following: “(6) address root causes of threats to great apes in range states, including illegal bushmeat trade, diseases, lack of regional or local capacity for conservation, and habitat loss due to natural disasters.”; and

(2) in subsection (i)—

(A) by striking “Every” and inserting the following:

“(1) IN GENERAL.—Every”;

(B) in paragraph (1) (as designated by subparagraph (A)), by striking “shall” and inserting “may”; and

(C) by adding at the end the following: “(2) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).”.

SEC. 2. GREAT APE CONSERVATION FUND.

Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended—

(1) by striking “expand” and inserting “expand”;

(2) by striking “\$80,000” and inserting “\$150,000”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

The Great Ape Conservation Act of 2000 is amended by striking section 6 (16 U.S.C. 6305) and inserting the following:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS. “There are authorized to be appropriated to the Fund—

“(1) \$5,000,000 for each of fiscal years 2006 and 2007; and

“(2) \$7,000,000 for [fiscal year 2008; and] each of fiscal years 2008 through 2010.”.

“(3) \$10,000,000 for each of fiscal years 2009 and 2010.”.]

Mr. FRIST. I ask unanimous consent the committee-reported amendments 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 relating to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (S. 1250), as amended, was read the third time and passed, as follows:

S. 1250

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

SECTION 1. GREAT APE CONSERVATION ASSISTANCE.

Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended—

(1) in subsection (d)—
(A) in paragraph (4)(C), by striking “or” after the semicolon at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(6) address root causes of threats to great apes in range states, including illegal bushmeat trade, diseases, lack of regional or local capacity for conservation, and habitat loss due to natural disasters.”; and

(2) in subsection (i)—
(A) by striking “Every” and inserting the following:

“(1) IN GENERAL.—Every”;
(B) in paragraph (1) (as designated by subparagraph (A)), by striking “shall” and inserting “may”; and

(C) by adding at the end the following:
“(2) APPLICABILITY OF FACAA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).”.

SEC. 2. GREAT APE CONSERVATION FUND.

Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended—

(1) by striking “expand” and inserting “expand”; and

(2) by striking “\$80,000” and inserting “\$150,000”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

The Great Ape Conservation Act of 2000 is amended by striking section 6 (16 U.S.C. 6305) and inserting the following:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Fund—

“(1) \$5,000,000 for each of fiscal years 2006 and 2007; and

“(2) \$7,000,000 for each of fiscal years 2008 through 2010.”.

**JUNIOR DUCK STAMP
REAUTHORIZATION ACT OF 2005**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of calendar No. 195, S. 1339.

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

The assistant legislative clerk read as follows:

A bill (S. 1339) to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

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

Mr. FRIST. Mr. President, I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 1339) was read the third time and passed, as follows:

S. 1339

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 “Junior Duck Stamp Reauthorization Act of 2005”.

SEC. 2. REAUTHORIZATION.

The Junior Duck Stamp Conservation and Design Program Act of 1994 (16 U.S.C. 719 et seq.) is amended—

(1) by redesignating the first section 6 (16 U.S.C. 719c), relating to authorization of appropriations, as section 7 and moving the section so as to appear at the end of the Act; and

(2) in section 7 (as redesignated by paragraph (1)) by striking “2001 through 2005” and inserting “2006 through 2010”.

**PITTMAN-ROBERTSON WILDLIFE
RESTORATION ACT AMENDMENTS**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of calendar 196, S. 1340.

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

The assistant legislative clerk read as follows:

A bill (S. 1340) to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment.

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

Mr. FRIST. I ask unanimous consent the bill 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 bill (S. 1340) was read the third time and passed, as follows:

S. 1340

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

SECTION 1. AVAILABILITY OF SURPLUS FUNDS IN WILDLIFE RESTORATION FUND.

Section 3(b)(2)(C) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) is amended by striking “2006” and inserting “2016”.

CAPTIVE WILDLIFE SAFETY TECHNICAL AMENDMENT ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 197, S. 1415.

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

The assistant legislative clerk read as follows:

A bill (S. 1415) to amend the Lacey Act Amendments of 1981 to protect captive wildlife and make technical corrections.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendments, as follows:

(Strike the parts shown in black brackets and insert the parts shown in italic.)

S. 1415

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 “Captive Wildlife Safety Technical Amendment Act of 2005”.

SEC. 2. CAPTIVE WILDLIFE AMENDMENTS.

(a) PROHIBITED ACTS.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)—
(A) in paragraph (2)—
(i) in subparagraph (A), by inserting “or” after the [semi-colon] *semicolon*;

(ii) in subparagraph (B), by striking “; or” and inserting a [semi-colon] *semicolon*; and
(iii) by striking subparagraph (C); and

(B) in paragraph (4), by inserting “or subsection (e)” before the period; and
(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively;

(B) by striking “(e)” and all that follows through “Subsection (a)(2)(C)” in paragraph (1) and inserting the following:

“(e) CAPTIVE WILDLIFE OFFENSE.—

“(1) IN GENERAL.—It is unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species.

“(2) NONAPPLICABILITY.—This subsection”;

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by striking “a” before “prohibited” and inserting “any”;
(ii) by striking “(3)” and inserting “(4)”;

and
(iii) by striking “(2)” and inserting “(3)”;

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—
(I) in clauses (ii) and (iii), by striking “animals listed in section 2(g)” each place it appears and inserting “prohibited wildlife species”; and
(II) in clause (iv), by striking “animals” and inserting “prohibited wildlife species”;

and
(ii) in [suparagraph] *subparagraph* (D), by striking “animal” each place it appears and inserting “prohibited wildlife species”;

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking “(2)” and inserting “(3)”;

(F) in paragraph (6) (as redesignated by subparagraph (A)), by striking “subsection (a)(2)(C)” and inserting “this subsection”;

and
(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

“(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection.”.

(b) CRIMINAL PENALTIES.—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking “subsection 3(b)” each place it appears and inserting “subsections (b), (d), and (e) of section 3”; and

(2) in paragraph (3), by striking “section 3(d)” and inserting “subsections (d) and (e) of section 3”.

SEC. 3. APPLICABILITY PROVISION AMENDMENT.

Section 3 of the Captive Wildlife Safety Act (117 Stat. 2871; Public Law 108-191) is amended—

(1) in subsection (a), by striking “(a) IN GENERAL.—Section 3” and inserting “Section 3”; and

(2) in subsection (b), by striking “(b) IN GENERAL.—Section 3” and inserting “Section 3”;