

The resolution also calls upon the government of Sudan to facilitate the immediate and unfettered deployment of the U.N.-African Union peacekeeping force, including any and all non-African peacekeepers.

The resolution calls upon the diverse rebel movements to set aside their differences and work together in order to better represent the people of Darfur and end their continued suffering.

The resolution condemns any action by any party—government or rebel—that undermines or delays the peace process.

The resolution call upon the government of Sudan to enable humanitarian organizations to have full unfettered access to populations in need; and it calls upon all parties to the Comprehensive Peace Agreement between North and South Sudan to support and respect all terms of the agreement.

We have allowed the humanitarian crisis in Darfur to continue for far too long. We have allowed a brutal regime to repeatedly obstruct and ignore the international community.

I call on my colleagues to join us as we call on the U.S. to put its full weight behind deployment of a peacekeeping force and pushing all sides toward a long-term political solution.

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**SENATE RESOLUTION 456—DIRECTING THE UNITED STATES TO UNDERTAKE BILATERAL DISCUSSIONS WITH CANADA TO NEGOTIATE AN AGREEMENT TO CONSERVE POPULATIONS OF LARGE WHALES AT RISK OF EXTINCTION THAT MIGRATE ALONG THE ATLANTIC SEABOARD OF NORTH AMERICA**

Ms. SNOWE (for herself, Ms. COLLINS, and Mr. SUNUNU) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 456

Whereas populations of large whales in the north Atlantic, including north Atlantic right whales, fin whales, and humpback whales, were substantially reduced, largely due to commercial whaling efforts that ended more than 60 years ago in the United States and more than 30 years ago in Canada, and rebuilding and protecting these species requires significant conservation efforts;

Whereas the United States and Canada share the goals of marine resource conservation through sound scientific research and seek to protect large whales at risk of extinction;

Whereas north Atlantic right whales, humpback whales, and fin whales are listed as “endangered” under the United States Endangered Species Act and “depleted” under the Marine Mammal Protection Act, and north Atlantic right whales are listed as “endangered” and fin whales are listed as a species of “special concern” under Canada’s Species at Risk Act;

Whereas north Atlantic right whales, humpback whales, and fin whales, migrate throughout the north Atlantic Ocean, in-

cluding through the waters of the United States and Canada along the eastern Atlantic Seaboard;

Whereas the populations of large whales in the north Atlantic Ocean are affected by natural factors including availability of forage and oceanographic conditions such as water temperature, salinity, and currents, and additional research on these topics will facilitate whale conservation;

Whereas some fishermen in both the United States and Canada employ fixed gear types within the migratory range of large whales, thereby exposing the species to risks of entanglement, and ships transiting both United States and Canadian waters have been known to strike large whales resulting in injury or death of the cetaceans;

Whereas the United States has taken significant regulatory and advisory steps to reduce the impacts of its fishing and shipping activities on large whale species, including restrictions on fixed fishing gear, closures of areas to certain types of fishing effort seasonally, and advisory restrictions on vessel traffic;

Whereas effective regulations to ensure conservation and protection of these large whale species must be a transboundary, bilateral effort that equitably distributes the costs and benefits of whale conservation among regulated and other concerned parties in each Nation, including the United States and Canadian governments, the fishing and shipping industries, States, Canadian provinces, and interested nongovernmental organizations;

Whereas Canada and the United States have a history of cooperation on transboundary marine resource issues, including a joint effort by the Canadian Department of Fisheries and Oceans and the United States’ Provincetown Center for Coastal Studies and the New England Aquarium to assist entangled large whales in the Bay of Fundy and Gulf of Maine;

Whereas the United States National Oceanic and Atmospheric Administration has long been involved with a series of bilateral discussions with Canada concerning the United States Atlantic Large Whale Take Reduction Plan, and the Canadian Species at Risk Plan;

Whereas encouraging collaboration between representatives of the United States and Canadian Federal governments, affected States and Canadian provinces, affected fishing and shipping industries, and non-governmental organizations will facilitate the parties’ ability to develop a sound, scientifically supported, mutually acceptable agreement; Now, therefore, be it

*Resolved, by the Senate, That—*

(1) the United States should undertake bilateral discussions with Canada to negotiate an agreement for the conservation and protection of migratory or transboundary populations of large whales at risk of extinction in the northwest Atlantic Ocean;

(2) the agreement negotiated pursuant to paragraph (1) should contain mechanisms, inter alia, for reducing incidents of endangered large whales becoming entangled in fishing gear, being struck by ships, or otherwise adversely impacted by human activity;

(3) the mechanisms developed pursuant to paragraph (2) should ensure that—

(A) the costs and benefits of whale conservation regulations are to the extent feasible fairly and equitably distributed among regulated and other concerned parties including the United States and Canadian governments, the fishing and shipping industries, States, Canadian provinces, and interested nongovernmental organizations;

(B) the full economic impact on fishing communities is considered in the development of such measures; and

(C) the best available science on whale behavior, including diving, feeding, and migration, is used to develop conservation mechanisms;

(4) as any bilateral agreement is negotiated and implemented, the United States and Canada should consult with, *inter alia*, affected fishery management agencies, coastal States and provinces impacted by the agreement, and appropriate industry and nongovernmental organizations; and

(5) until the agreement pursuant to paragraph (1) becomes operational, the United States should continue to undertake efforts to reduce the impacts of human activity on endangered large whales while taking steps, to the extent consistent with United States law, to minimize the economic impact of such efforts on affected industries.

Ms. SNOWE. Mr. President, I rise today to introduce a resolution directing the U.S. to undertake bilateral discussions with Canada to negotiate an agreement to conserve endangered large whales that migrate along the Atlantic seaboard of North America. I would also like to thank my colleagues, Senators COLLINS and SUNUNU for their cosponsorship. Whales do not recognize international boundaries, and it is critical that we work with our neighbors to develop consistent means to protect whales from potentially harmful interactions with fishing gear, ships, and other manmade threats.

Both the U.S. and Canada have taken steps to reduce the impacts of their respective maritime industries on endangered whale populations, but neither country can provide adequate protection working independently of the other. Large whales, including critically endangered north Atlantic right whales, humpback whales, and fin whales, migrate throughout the north Atlantic Ocean, crossing frequently between Canadian and U.S. waters where fishermen on both sides of the boundary employ fishing methods that pose a risk of entanglement, and transiting ships have been known to strike the cetaceans, resulting in serious injury or death.

The U.S. has long been a global leader in marine mammal protection. The Atlantic Large Whale Take Reduction Plan, developed under the auspices of the National Marine Fisheries Service, NMFS, carries a mandate to reduce incidents of whale entanglement with fishing gear and of ship strikes, and it has issued numerous regulations aimed at achieving its goals. Unfortunately, many of its regulations on the U.S. fishing industry have not been matched by their management counterparts north of the border. Most recently, in October of this year, NMFS issued new regulations, including a mandate for lobster fishermen to use sinking rope to connect their strings of lobster pots. The intent of this rule is to reduce the amount of rope in the water column and thus the risk of a whale becoming

entangled. Traditionally, lobstermen have fished using floating rope because in the strong tides and rocky sea floor we experience in many areas off the coast of Maine, sinking rope can chaff, abrade, and break quite easily. These rules, which are due to take effect in October of this year will increase fishermen's overhead cost by requiring more frequent replacement of degraded rope, and pose a safety hazard for our lobstermen. Canadian fishermen experience no similar restrictions on their gear, thereby reducing their overhead costs relative to U.S. fishermen. This not only gives them a competitive advantage in the marketplace, but also provides no benefit to the endangered species of whales our lobstermen are making sacrifices to protect.

Canada should be praised, however, for its efforts to implement regulations on its shipping industry, including imposing speed limits in areas whales are known to frequent. NMFS's Take Reduction Team has developed similar regulations for shippers transiting areas of U.S. waters, and NMFS sent its final rule to the Office of Management and Budget nearly 1 year ago, but to date, that office has failed to release it. I find it inexcusable that the administration finds it acceptable to impose harsh restrictions on the lobster industry, which is comprised of hardworking small businessmen struggling to make ends meet, but refuses to impose restrictions on a multi-billion dollar industry. This despite the fact that the cost of the ship strike rules, expressed as a percentage of the affected industry's total earnings, will be a fraction of the cost of the gear restrictions. This inequity is exacerbated by the fact that since 2001, nearly three times more whales have been confirmed killed by ship strikes than by entanglement in fishing gear.

I expect that this resolution will serve to spur productive conversations between the U.S. and Canada that will ultimately lead to development of bilateral whale protection measures. By agreeing to equal protection measures in U.S. and Canadian waters, we can not only guarantee more comprehensive protection for endangered whales, but also a fair distribution of cost to affected industries and a level playing field for both U.S. and Canadian products.

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#### SENATE RESOLUTION 457—RECOGNIZING THE CULTURAL AND HISTORICAL SIGNIFICANCE OF THE CHINESE NEW YEAR OR SPRING FESTIVAL

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 457

Whereas the Chinese New Year is celebrated on the second new moon following the winter solstice;

Whereas February 7, 2008, marks the first day of the Chinese New Year for 2008, also known as the Year of the Rat or the Year of Wu Zi;

Whereas the Chinese New Year festivities begin on the first day of the first lunar month and end 15 days later with the celebration of the Lantern Festival;

Whereas there are approximately 3,500,000 Chinese-Americans in the United States, many of whom will be commemorating this important occasion;

Whereas this day will be marked by celebrations throughout our country as Chinese-Americans gather to watch the dragon and lion dances; and

Whereas the United States Postal Service will debut a new stamp series for the 12 animals in the Chinese calendar on February 9, 2008, with the series continuing through 2019; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the cultural and historical significance of the Chinese New Year or Spring Festival;

(2) in observance of the Chinese New Year, expresses its deepest respect for Chinese-Americans and all those throughout the world who will be celebrating this significant occasion; and

(3) wishes Chinese-Americans and all those who observe this holiday a happy and prosperous new year.

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#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4038. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act.

SA 4039. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4040. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4041. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4042. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4043. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4044. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4045. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4046. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4047. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4048. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4049. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4050. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4051. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4052. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4053. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4054. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4055. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, supra; which was ordered to lie on the table.

SA 4056. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY,