

raised their children, have proven to be hard working and law-abiding people trying to provide a better place for their family. While we are certainly aware of the laws of this country we believe that this is a time when we should do everything possible to allow legal residency so this family can stay in this country.

We urge you to afford the Plascencia family whatever consideration possible.

Sincerely yours,

LARRY FRANZELA,  
*Mayor.*

JIM RUANE,  
*Vice Mayor.*

CHRIS PALLAS,  
*Councilmember.*

IRENE O'CONNELL,  
*Councilmember.*

KEN IBARRA,  
*Councilmember.*

ST. BRUNO'S CHURCH,  
*San Bruno, CA, January 13, 2005.*

Sen. DIANE FEINSTEIN,  
*U.S. Senate,*  
*Washington, DC.*

The purpose of this letter is to present my observations on Alfredo Placencia Lopez and Maria Placencia's character and work ethic. I first came to know them in our Church when they came to worship on a Sunday. This happened around January 1998.

And so far, the last 7 years both Alfredo and Maria have been two of our outstanding parishioners at St. Bruno's Church. They come to Sunday Mass and worship, and have been involved in many ministries and services here in our Church at St. Bruno's. Alfredo has been especially a minister of hospitality, always welcoming people to church and participation in the life of the community, helping to provide a spirit of acceptance and concern among our people and providing bread and refreshments for some gatherings. Alfredo has also reached out to the homeless for whom we have a shelter in our Parish and especially providing them with food. Maria has been especially involved as a teacher, faithfully giving to our children the fundamentals of our Faith, of the Gospel and of a Christian moral life. She has founded a Children's Choir and leads them with our Special Music for Sunday worship. They have four children all of whom have been baptized at St. Bruno's Church and come to our School of Religion and our Church.

Alfredo and Maria have been most generous with their time, their talents and their money, sharing all these with the members of our Church Community. They have also frequently donated food to the Church and to the Pastor. I have found them to be really good Christian people, most generous, considerate, kind, honest and reliable. If they would have to leave the United States, it will be most difficult for them and for their children who have been growing in a Christian environment and are doing so well; it would be a tremendous loss. We too here in our Church would find it difficult without them. For they are a great asset to this country and to our Church and to many people.

We appreciate whatever you can do for them to help them get their legal papers of residence in the United States.

Thank you very much.

Sincerely yours,

RENÉ GOMEZ,  
*Pastor of St. Bruno's Church.*

SAN BRUNO, CA,  
*January 13, 2005.*

Re Alfredo Placencia Lopez and/or Maria Del Refugio Placencia.

TO WHOM IT MAY CONCERN: My name is Elisa Alvarez. Alfredo and Maria Placencia

and Family are my neighbors and friends, I have known them since 1999. They live on 3rd Ave. and I live on 4th. Since I have known them I saw that they are a very close and spiritual family. I enjoyed their company because they have been a great example of how a close family they are and how spiritual they are. They are great parents and they love and are very close with the rest of their family. They always go every where together as a family, you never see them without each other. They always get together with the rest of their relatives they are very close family. They invited me one night to a prayer group and even offered to pick me up and take me and bring me home when I was going through some hard times. This experience was so moving, and it help me and my whole life changed from that day on. I have became very spiritual thanks to the Alfredo and Maria. I met them at St. Bruno's Church. They always do voluntary work at the church they both do so much for our parish and are always willing to help anyone who needs it.

If Alfredo and Maria are separated from their children and family it will be very hard for their children to be with out their parents or I know if they all go to Mexico it will be very hard for this family to survive there. I hope you can help them by not separating this family, they are hard workers and I'm sure they would never be a burden for this country. This is a very nice young family, you don't see families like this one these days. I hope everything can be done so Alfredo and Maria can get their permanent residency and their lives can get back to normal and they don't have to suffer from this bad roller coaster.

Thank you for your attention to this letter.

Sincerely,

ELISA ALVAREZ.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 142—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES TRADE REPRESENTATIVE SHOULD BRING A CASE BEFORE THE WORLD TRADE ORGANIZATION REGARDING THE VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS BY THE PEOPLE'S REPUBLIC OF CHINA

Mr. DORGAN (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 142

Whereas at the Joint Commission on Commerce and Trade (JCCT) meeting in April 2004, the People's Republic of China committed to undertake a significant reduction of infringements on intellectual property rights;

Whereas on April 29, 2005, the United States Trade Representative concluded that, "China has not resolved critical deficiencies in (intellectual property rights) protection and enforcement and, as a result, infringements remain at epidemic levels";

Whereas the United States Trade Representative found that "China's inadequate intellectual property rights enforcement is resulting in infringement levels at 90 percent or above for virtually every form of intellectual property,";

Whereas United States Trade Representative further concluded that "there has not been a significant reduction in (intellectual

property rights) infringements throughout China," notwithstanding China's commitment in April 2004 to achieve such a reduction;

Whereas, according to the United States Chamber of Commerce, China's violations of intellectual property rights are costing United States industry an estimated \$200,000,000,000 per year; and

Whereas the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (described in section 101(d)(15) of the Uruguay Round Agreements Act) is intended to provide a mechanism for the enforcement of intellectual property rights: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States Trade Representative should immediately initiate a case against the People's Republic of China through the World Trade Organization dispute settlement process.

SENATE RESOLUTION 143—TO AUTHORIZE THE SENATE LEGAL COUNSEL TO APPEAR IN LEGAL PROCEEDINGS IN THE NAME OF THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS IN CONNECTION WITH ITS INVESTIGATION INTO THE UNITED NATIONS' "OIL-FOR-FOOD" PROGRAMME

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 143

Whereas, the Permanent Subcommittee on Investigations is conducting an inquiry into the United Nations' "Oil-for-Food" Programme;

Whereas, the Subcommittee has need to obtain access to evidence from an individual formerly associated with the Independent Inquiry Committee, a committee formed by the United Nations to investigate claims relating to the Programme;

Whereas, in the course of the Subcommittee's efforts to obtain access to such evidence, legal issues may arise requiring the Subcommittee to appear in the courts of the United States;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288l(a), the Senate may direct its Counsel to appear as amicus curiae or to intervene in the name of a subcommittee of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized, when directed by the Permanent Subcommittee on Investigations, or by the Chairman and Ranking Minority Member, acting jointly, to appear in the name of the Subcommittee as amicus curiae, intervenor, applicant or respondent in United Nations v. Robert Parton or any related action or proceeding.

SENATE CONCURRENT RESOLUTION 33—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE POLICY OF THE UNITED STATES AT THE 57TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION

Ms. SNOWE (for herself, Ms. CANTWELL, Mr. LEVIN, Mr. KENNEDY, Mr.

MCCAIN, Mr. LIEBERMAN, Mr. KERRY, Ms. COLLINS, Mr. BIDEN, Mr. JEFFORDS, Mr. DODD, Mr. LAUTENBERG, Mr. REED, Mr. WYDEN, Mr. PRYOR, Mrs. BOXER, Mrs. FEINSTEIN, and Mr. AKAKA) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 33

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 has recently begun to conduct 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's Scientific Committee has repeatedly expressed serious concerns about the scientific need for such le-

thal research and recognizes the importance of demonstrating and expanding the use of non-lethal scientific research methods;

Whereas more than 8,700 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, with species now including minke, Bryde's, sei, and sperm whales, and media reports indicate a new plan may be offered that could expand such whaling to fin and humpback whales;

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 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 no reservations allowing commercial whaling outside of the RMS should be permitted; 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 57th 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;

(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, that no reservations allowing commercial whaling outside of the RMS should be permitted, 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. CANTWELL. Mr. President, as ranking member of the Subcommittee on Fisheries and Coast Guard of the Committee on Commerce, Science and Transportation, I am pleased to join the chair of the Subcommittee, Senator SNOWE, in submitting a resolution regarding the policy of the United States at the upcoming 57th Annual Meeting of the International Whaling Commission (IWC). I wish to also thank my colleagues Mr. MCCAIN, Mr. KENNEDY, Mr. AKAKA, Mr. REED, Ms. COLLINS, Mr. DODD, Mr. LEVIN, Mr. BIDEN, Ms. BOXER, Mr. LAUTENBERG, Ms. FEINSTEIN, Mr. PRYOR, Mr. KERRY, Mr. JEFFORDS, Mr. WYDEN, and Mr. LIEBERMAN for co-sponsoring as well.

Recognizing that whales are highly migratory and therefore require international cooperation for their preservation, the IWC was formed in 1946 under the International Convention for the Regulation of 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.

Despite the IWC moratorium on commercial whaling, significant whaling has continued. In particular, Japan and Iceland have been using a provision in the Convention—which allows countries to issue themselves permits for “scientific whaling”—to kill whales in the name of science, and later sell the meat commercially. More than 8700 whales have been killed in lethal scientific whaling programs since the adoption of the commercial whaling moratorium, and press reports indicate that a new plan may be offered that would expand such whaling to fin and humpback whales. The IWC Scientific Committee has repeatedly stated that such lethal takes are not necessary for scientific research.

In this resolution we call on the U.S. delegation to remain firmly opposed to commercial whaling. We urge the U.S. to initiate or support efforts to oppose the unnecessary lethal taking of whales for scientific purposes and to seek to end the sale of meat and blubber from whales killed for scientific research in order to remove this perverse incentive.

This resolution comes at a time when discussions are underway in the IWC to establish a framework, or "revised management scheme" for any future commercial whaling, should it ever occur. The resolution calls for the U.S. delegation to the IWC to insist that any RMS negotiations remain separate from discussions on whether to lift the moratorium on commercial whaling, and that any such RMS include provisions on accountability, transparency, and compliance that are part of all effective international agreements. It further calls on the U.S. delegation to insist, as part of the RMS language, that lethal scientific whaling immediately cease upon the commencement of any commercial whaling. The resolution also firmly recognizes the rights of indigenous people to whale for subsistence purposes, and calls on the U.S. delegation to firmly reject any attempts to compromise such rights or to equate commercial whaling with such rights.

In order to ensure future abundance and health of whale populations, we call on the U.S. to support the work of the Conservation Committee, and to otherwise expand whale conservation efforts. The resolution calls for the U.S. delegation to support the permanent protection of whale populations through the establishment of whale sanctuaries in which commercial whaling is prohibited. Finally, the resolution directs the U.S. to make full use of all appropriate mechanisms to change the behavior of other nations which are undermining the protection of these magnificent creatures.

I would like to again thank chairwoman SNOWE for collaborating with me on this important effort, and I look forward to working with my colleagues on this issue.

Ms. SNOWE. Mr. President, I rise today to submit a resolution that is both timely and vital to the future of the world's large whale populations. In little more than a month, representatives from around the world will gather in South Korea for the 57th annual meeting of the International Whaling Commission. These representatives will consider proposals to weaken or lift the moratorium on commercial whaling and expand whaling operations around the globe. It is more critical than ever that the United States remains firmly opposed to any proposals to resume commercial whaling and maintain its leadership role in shaping global whale conservation policies through the Commission.

The Commission's early attempts to regulate commercial whaling did not stop the precipitous decline of whale populations around the world. This management failure exposed a dramatic lack of knowledge and understanding of whales and their environment. In response to dwindling whale populations, the Commission declared a global moratorium on commercial

whaling in 1982. The United States was a leader in the efforts to establish this moratorium, and in the intervening decades we have continued our outspoken opposition to commercial whaling.

My colleagues and I are submitting this resolution to give needed support to the U.S. negotiators as they strive to preserve vital whale conservation measures through the International Whaling Commission. Pro-whaling countries have made clear, through numerous media outlets, that they plan to work to lift the moratorium at this year's meeting, a move that threatens to undo years of international efforts to recover whale populations. As a Nation we must stand firmly against lifting of the moratorium and the resumption of commercial whaling. But we cannot stop there. As we continue our international efforts for effective, global whale conservation we must work to close loopholes in, and end abuses of, Commission regulations. This resolution calls for the closing of a scientific whaling loophole that some countries are exploiting to allow whaling, not just in the open ocean, but in designated whale sanctuaries. Lethal scientific whaling is an outdated concept that serves no useful purpose; even the Commission's own Scientific Committee has called for the cessation of this practice. In addition to the scientific whaling provision, some countries choose to take reservations to the moratorium under which they continue to expand commercial whaling activities year after year. These unilateral actions weaken the Commission and undermine international whale conservation efforts; therefore, they must be brought to an end.

We must consider the future as we strive to ensure the sustainability of the world's whale populations. At this year's meeting, the Commission may address the critical issue of a Revised Management Scheme, or RMS, to govern whale conservation in future years. As we consider possible management systems, it is imperative that we build any RMS on a solid foundation of scientific knowledge and sustainability. If our Nation is to support any RMS, we must ensure that it addresses the need for additional research and ensure that all whaling outside the scheme ceases immediately. Any RMS that we are party to must also include provisions that we find in other international fisheries agreements, such as transparency in decision making, objective observers, and effective compliance mechanisms.

I thank my colleagues who have already signed on as co-sponsors of this resolution for their continuing commitment to marine conservation: Senators CANTWELL, LEVIN, KENNEDY, MCCAIN, LIEBERMAN, KERRY, COLLINS, BIDEN, JEFFORDS, DODD, LAUTENBERG, REED, WYDEN, BOXER, FEINSTEIN, PRYOR, and AKAKA. Their dedication to

responsible protection and management of our whale populations helps ensure the healthy functioning of marine ecosystems for generations to come.

Whales constitute a vital component of the world's marine ecosystems. Whales are some of the largest and most intelligent mammals on Earth, and conserving them requires us to uphold strong international agreements and an unwavering commitment to science-based management. Supporting whale conservation is more critical now than ever, and I urge my colleagues to support swift passage of this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 761. Mr. INHOFE (for himself and Mr. JEFFORDS) proposed an amendment to amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

#### TEXT OF AMENDMENTS

SA 761. Mr. INHOFE (for himself and Mr. JEFFORDS) proposed an amendment to amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; as follows:

On page 29, line 1, strike "Control and" and insert "Inventory, control, and".

On page 35, strike lines 15 through 21 and insert the following:

(C) PARK ROADS AND PARKWAYS.—

(i) IN GENERAL.—For park roads and parkways under section 204 of that title—

(I) \$320,000,000 for fiscal year 2005; and

(II) \$330,000,000 for each of fiscal years 2006 through 2009.

(ii) MINIMUM ALLOCATION TO CERTAIN STATES.—A State more than 50 percent of the acreage of which is within the National Park System shall receive not less than 3 percent of any funds appropriated under this subparagraph, to be used for park transportation projects.

(iii) MODIFICATION OF AUTHORIZATION.—Any amount authorized to be appropriated under section 2001(a)(1)(A) to carry out surface transportation research shall be reduced by—

(I) for fiscal year 2005, \$29,025,031; and

(II) for each of fiscal years 2006 through 2009, \$29,638,742.

On page 140, strike lines 11 through 18, and insert the following:

"(10)(A) Recommending federally-assisted projects to implement or accommodate the use of a device capable of—

"(i) automatically capturing images of, measuring the speed of, and relating to, multiple vehicles in multiple lanes simultaneously; and

"(ii) correlating measured speeds to capture images of specific identified vehicles traveling in excess of posted speed limits in road work zones and construction areas.

"(B) Recommending appropriate measures to protect public security and privacy, including—

"(i) notice to drivers of the use of the devices described in subparagraph (A); and