

(2) information, in both English and Spanish, and accessible to persons with disabilities, concerning—

(A) the digital television transition, including the fact that a transition has taken place and that additional action is required to continue receiving television service, including emergency notifications; and

(B) the steps required to enable viewers to receive such emergency information via the digital television service and to convert to receiving digital television service, including a phone number and Internet address by which help with such transition may be obtained in both English and Spanish; and

(3) such other information related to consumer education about the digital television transition or public health and safety or emergencies as the Commission may find to be consistent with the public interest.

#### SEC. 3. LIMITATIONS.

In designing the program required by this Act, the Commission shall—

(1) take into account market-by-market needs, based upon factors such as channel and transmitter availability;

(2) ensure that broadcasting of the program specified in section 2(b) will not cause harmful interference with signals in the digital television service;

(3) not require the analog television service signals broadcast under this Act to be retransmitted or otherwise carried pursuant to section 325(b), 338, 339, 340, 614, or 615 of the Communications Act of 1934 (47 U.S.C. 325(b), 338, 339, 340, 614, or 615);

(4) take into consideration broadcasters' digital power levels and transition and coordination plans that already have been adopted with respect to cable systems and satellite carriers' systems;

(5) prohibit any broadcast of analog television service signals under section 2(b) on any spectrum that is approved or pending approval by the Commission to be used for public safety radio services, including television channels 14-20; and

(6) not include the analog spectrum between channels 52 and 69, inclusive (between frequencies 698 and 806 megahertz, inclusive) reclaimed from analog television broadcasting pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

#### SEC. 4. DEFINITIONS.

As used in this Act, the term "emergency information" has the meaning such term has under part 79 of the regulations of the Federal Communications Commission (47 C.F.R. part 79).

The bill (S. 3663), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### AUTHORIZING THE USE OF EMANCIPATION HALL

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 435 received from the House.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 435) authorizing the use of Emancipation Hall on December 2, 2008, for ceremonies and activities held in connection with the opening of the Capitol Visitor Center to the public.

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

Mr. DORGAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motions to reconsider be laid upon the table, and that any statements related to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 435) was agreed to.

#### THE ADOPTION OF BLUEFIN TUNA CONSERVATION AND MANAGEMENT MEASURES

Mr. DORGAN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Res. 709 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 709) expressing the sense of the Senate that the United States should pursue the adoption of bluefin tuna conservation and management measures at the 16th Special Meeting of the International Commission on the Conservation of Atlantic Tunas.

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

Mr. DORGAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 709) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 709

Whereas Atlantic bluefin tuna fishery is valuable commercially and recreationally in the United States and many other countries;

Whereas the International Convention for the Conservation of Atlantic Tunas entered into force on March 21, 1969;

Whereas the Convention established the International Commission for the Conservation of Atlantic Tunas to coordinate international research and develop, implement, and enforce compliance of the conservation and management recommendations on the Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the adjacent seas, including the Mediterranean Sea;

Whereas in 1974, the Commission adopted its first conservation and management recommendation to ensure the sustainability of Atlantic bluefin tuna throughout the Atlantic Ocean and Mediterranean Sea, while allowing for the maximum sustainable catch for food and other purposes;

Whereas in 1981, for management purposes, the Commission adopted a working hypothesis of 2 Atlantic bluefin tuna stocks, with 1 occurring west of 45 degrees west longitude (hereinafter referred to as the "western Atlantic stock") and the other occurring east of 45 degrees west longitude (hereinafter re-

ferred to as the "eastern Atlantic and Mediterranean stock");

Whereas, despite scientific recommendations intended to maintain bluefin tuna populations at levels that will permit the maximum sustainable yield and ensure the future of the stocks, the total allowable catch quotas have been consistently set at levels significantly higher than the recommended levels for the eastern Atlantic and Mediterranean stock;

Whereas despite the establishment by the Commission of fishing quotas based on total allowable catch levels for the eastern Atlantic and Mediterranean bluefin tuna fishery that exceed scientific recommendations, compliance with such quotas by parties to the Convention that harvest that stock has been extremely poor, most recently with harvests exceeding such total allowable catch levels by more than 50 percent for each of the last 4 years;

Whereas insufficient data reporting in combination with unreliable national catch statistics has frequently undermined efforts by the Commission to assign quota overharvests to specific countries;

Whereas the failure of many Commission members fishing east of 45 degrees west longitude to comply with other Commission recommendations to conserve and control the overfished eastern Atlantic and Mediterranean bluefin tuna stock has been an ongoing problem;

Whereas the Commission's Standing Committee on Research and Statistics noted in its 2006 report that the fishing mortality rate for the eastern Atlantic and Mediterranean stock may be more than 3 times the level that would permit the stock to stabilize at the maximum sustainable catch level, and continuing to fish at the level of recent years "is expected to drive the spawning biomass to a very low level" giving "rise to a high risk of fishery and stock collapse";

Whereas the Standing Committee's 2008 report recommended that the annual harvest levels for eastern Atlantic and Mediterranean bluefin tuna be reduced from 32,000 metric tons to 15,000 metric tons or less to halt decline of the resource and initiate rebuilding;

Whereas the Standing Committee has stated that time and area closures could greatly facilitate the implementation and monitoring of rebuilding strategies and recommended a closure of the Mediterranean Sea in May, June, and July, as well as a minimum size limit of 25 kilograms;

Whereas in 2006, the Commission adopted the "Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the eastern Atlantic and Mediterranean" containing a wide range of management, monitoring, and control measures designed to facilitate the recovery of the eastern Atlantic and Mediterranean bluefin tuna stock;

Whereas the Recovery Plan is inadequate and allows overfishing and stock decline to continue, and initial information indicates that implementation of the plan in 2007 by many eastern Atlantic and Mediterranean bluefin tuna harvesting countries has been poor;

Whereas since 1981, the Commission has adopted additional and more restrictive conservation and management recommendations for the western Atlantic bluefin tuna stock, and these recommendations have been implemented by Nations fishing west of 45 degrees west longitude, including the United States;

Whereas despite adopting, fully implementing, and complying with a science-based rebuilding program for the western Atlantic bluefin tuna stock by countries fishing west

of 45 degrees west longitude, catches and catch rates remain very low;

Whereas many scientists believe that mixing occurs between the western Atlantic bluefin tuna stock and the eastern Atlantic and Mediterranean stock, and as such, poor management and noncompliance with recommendations for one stock are likely to have an adverse effect on the other stock; and

Whereas additional research on stock mixing will improve the understanding of the relationship between eastern and western bluefin tuna stocks and other fisheries, which will assist in the conservation, recovery, and management of the species throughout its range: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States delegation to the 16th Special Meeting of the International Commission for the Conservation of Atlantic Tunas, should—

(1) pursue a meaningful assessment of Commission member compliance with the “Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the eastern Atlantic and Mediterranean” (Recommendation 06-05), including seeking detailed explanations from Commission members that have failed to effectively implement the terms of the recommendation;

(2) pursue the adoption by the Commission of measures designed to eliminate non-compliance, including, as appropriate, deducting a portion of a future quota for a party to compensate for such party exceeding its quota in prior years, and where appropriate, steps should be taken to link non-compliance with reductions in fishery or market access;

(3) seek a temporary suspension of the eastern Atlantic and Mediterranean bluefin tuna fishery, including all trade, if significant progress toward establishing science-based management measures, improving monitoring and control measures, and addressing compliance issues is not made at the Commission this year;

(4) seek to strengthen the conservation and management of the eastern Atlantic and Mediterranean bluefin tuna by making recommendations to halt the decline of the stock and begin to rebuild it, including reducing annual harvest levels so that they do not exceed recommendations of the Standing Committee and expanding the time and area closure for the Mediterranean purse seine fleet to include May, June, and July; and

(5) pursue additional research on the relationship between the western Atlantic and eastern Atlantic and Mediterranean bluefin tuna stocks and the extent to which the populations intermingle.

#### CONDEMNING STONING IN SOMALIA

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 711, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 711) condemning the tragic and senseless death by stoning of a 13-year-old girl from Somalia.

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

Mr. DORGAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 711) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 711

Whereas a child from Somalia, identified as Aisha Ibrahim Duhulow, was raped by 3 men, and when her family reported the rape to authorities of the al-Shabaab militia that control the city of Kismayu, Somalia, she was accused of adultery and ordered to be stoned;

Whereas, in October 2008, Aisha Ibrahim Duhulow was stoned to death by 50 militant men before 1,000 witnesses in a public stadium;

Whereas al-Shabaab, some of whose members are affiliated with al Qaeda, is a violent and brutal extremist group that has used intimidation and committed human rights violations to undermine the Transitional Federal Government of Somalia and threaten activists in civil society working to bring about peace through political dialogue and reconciliation;

Whereas, on February 29, 2008, Secretary of State Condoleezza Rice designated al-Shabaab as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and placed the organization on the list of specially designated global terrorists established under the International Emergency Economic Powers Act and initiated under Executive Order 13224;

Whereas the 2007 Country Report on Human Rights Practices in Somalia, released on March 11, 2007, by the Department of State, cited the “poor human rights situation” in Somalia, including “unlawful and politically motivated killings, official impunity, and discrimination and violence against women”;

Whereas stoning is a grave and serious violation of human rights law, in which the victim is killed in an especially brutal way;

Whereas stoning is practiced particularly on girls and women accused of adultery;

Whereas the United States Commission on International Religious Freedom has condemned the death of Aisha Ibrahim Duhulow and called on the United States Government to join other states in speaking out decisively in international fora against such grave human rights abuses; and

Whereas the United States Government continues to support the efforts of those working to transform the troubled region of Somalia through commitment to sound human rights practices, democratic and representative government, economic recovery, and lasting peace and reconciliation: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the tragic and senseless death by stoning of Aisha Ibrahim Duhulow;

(2) urges the international community to join the Senate in speaking out against this brutal act; and

(3) urges the Transitional Federal Government of Somalia—

(A) to undertake robust efforts to protect women and children and to prevent acts of institutionalized violence against women in Somalia;

(B) to work to strengthen the rule of law as part of the effort by the Transitional Federal Government of Somalia to establish its authority;

(C) to promote equal and fair treatment of women; and

(D) to end the culture of impunity in Somalia.

CONGRATULATING THE PHILADELPHIA PHILLIES ON WINNING THE 2008 WORLD SERIES

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 712, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 712) congratulating the Philadelphia Phillies on winning the 2008 World Series.

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

Mr. SPECTER. Mr. President, I have sought recognition to submit a resolution congratulating the Philadelphia Phillies on winning the 2008 World Series. On October 29, 2008, the Phillies defeated the Tampa Bay Rays 4 to 3 in Game 5 to secure a World Series title for the first time since 1980 and second time in team history.

This historic victory was the culmination of a hard-fought 2008 regular season and an exhilarating postseason run for the Phillies. On September 27, the Phillies beat the Washington Nationals to clinch the National League East Division for the second consecutive year. They would go on to defeat the Milwaukee Brewers and Los Angeles Dodgers in the Division Series and National League Championship Series, respectively, to advance to their first World Series since 1993.

In the World Series, the Phillies faced a young and talented Tampa Bay Rays team, led by Manager, and Pennsylvania native, Joe Maddon. With strong performances from their starting pitchers, an outstanding bullpen and well-timed hitting, the Phillies beat the Rays in five games to clinch the title.

On behalf of the Senate and as an ardent Phillies fan myself, I congratulate the Philadelphia Phillies on winning the 2008 World Series and bringing to my hometown of Philadelphia a major sports championship for the first time in 25 years. In particular, I offer my heartfelt congratulations to manager Charlie Manuel, who, since taking the helm as manager in 2005, has guided this young Phillies team to become the best in Major League Baseball. Further due special recognition is 24-year-old pitcher Cole Hamels, who was named the Most Valuable Player for both the National League Championship Series and World Series with a 4-0 record and 1.80 earned run average in the postseason.

Also deserving of much praise are the 2008 American League Championship Rays. Though they had endured 10 consecutive losing seasons and the worst record in baseball last season, the Rays won their division and the 2008 American League Championship Series. The Rays have a bright future and I wish them continued success.

Finally, and perhaps more importantly, I congratulate all Phillies fans, who could finally enjoy that parade