JAN 16 2009

The Honorable Richard B. Cheney
President of the Senate
Washington, D.C., 20510

Dear Mr. President:

The Administration is pleased to forward the enclosed draft legislation, titled the "Albatross and Petrel Conservation Act of 2009," for your consideration. The legislation will implement the Agreement for the Conservation of Albatrosses and Petrels ("Agreement"), an important international agreement with the primary objective of achieving and maintaining a favorable conservation status for albatrosses and petrels. The Agreement entered into force February 1, 2004. On September 26, 2008, President Bush transmitted the Agreement to the United States Senate, recommending that it give its advice and consent to United States accession.

Parties to the Agreement commit to take conservation measures to achieve and maintain a favorable conservation status for these vulnerable bird species. The Agreement also facilitates research, international cooperation, information exchange, technology transfer, and capacity building among the Parties and through regional fisheries management organizations. It aims to establish an enhanced understanding of the conservation status of albatrosses and petrels and their susceptibility to a range of threats, both at sea and on land, as well as to develop and implement effective means of mitigating these threats.

The Administration has reviewed the Agreement and determined that implementation will result in tangible benefits to albatrosses and petrels. Our review also indicated that, because it is not self executing, legislation is necessary to implement the Agreement. We have drafted the enclosed legislation to address this need.

The draft legislation provides the United States, primarily through the Departments of the Interior and Commerce, with authority to adopt and implement conservation and management measures to address the most pressing threats to albatrosses and petrels in the wild, including habitat disturbance, nesting habitat degradation and loss, changes in food supply, pollution and marine debris, impacts from non-native species, and the incidental bycatch of birds in fisheries.

To assist you in your review of the proposed legislation, we have also enclosed an accompanying section-by-section analysis.

The provisions in the Agreement and the proposed implementing legislation advance the United States' goals of conserving albatrosses and petrels. For this reason, the Administration recommends that the proposed bill be sent to the appropriate committees for early and favorable consideration and that it be enacted.

The Office of Management and Budget has advised that there is no objection to the submission of this proposal from the standpoint of the Administration's program.

Sincerely,

P. Lynn Scarlett
Deputy Secretary
U.S. Department of the Interior

Lily Fu Claffee
General Counsel
U.S. Department of Commerce

Enclosures