

other the foreign branch of the same government.”; and

Whereas, Alexander Hamilton expressed his hope that “the people will always take care to preserve the constitutional equilibrium between the general and the state governments.” He believed that “this balance between the national and state governments forms a double security to the people. If one [government] encroaches on their rights, they will find a powerful protection in the other. Indeed, they will both be prevented from overpassing their constitutional limits by [the] certain rivalry which will ever subsist between them.”; and

Whereas, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, today, in 2009, the states are demonstrably treated as agents of the federal government; and

Whereas, many federal laws are directly in violation of the Tenth Amendment to the Constitution of the United States; and

Whereas, the Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the Union of States, now have, and have always had, rights the federal government may not usurp; and

Whereas, Article IV, Section 4, United States Constitution, says in part, “The United States shall guarantee to every State in this Union a Republican Form of Government”; and the Ninth Amendment states that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people”; and

Whereas, the United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States: Now therefore, be it

Resolved by the Legislature of Alabama, both Houses thereof concurring, That the State of Alabama hereby claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; be it further

Resolved, That this resolution serves as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally delegated powers; be it further

Resolved, That all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions or requires states to pass legislation or lose federal funding be prohibited or repealed; be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Speaker of the House and the President of the Senate of each state’s legislature, and the entire delegation of the Alabama members of the U.S. Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 3243, To require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes (Rept. No. 111—338).

Report to accompany H.R. 1345, A bill to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the “Hatch Act” (Rept. No. 111—339).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 2847, A bill to regulate the volume of audio on commercials (Rept. No. 111—340).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 2862. A bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes (Rept. No. 111—341).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, with an amendment:

S. 2869. A bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes (Rept. No. 111—342).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2989. A bill to improve the Small Business Act, and for other purposes (Rept. No. 111—343).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4543. A bill to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the “Anthony J. Cortese Post Office Building”.

H.R. 5341. A bill to designate the facility of the United States Postal Service located at 100 Orndorff Drive in Brighton, Michigan, as the “Joyce Rogers Post Office Building”.

H.R. 5390. A bill to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the “David John Donafée Post Office Building”.

H.R. 5450. A bill to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the “Tom Bradley Post Office Building”.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 3794. A bill to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LIEBERMAN from the Committee on Homeland Security and Governmental Affairs.

*Maria Elizabeth Raffinan, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 12. A bill to require the Secretary of the Army to operate the Buford Dam/Lake Sidney Lanier Project, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 13. A bill to require the Secretary of the Army to calculate the aggregate withdrawals of non-Federal entities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JOHANNES (for himself, Mr. BROWNBACK, Mr. MCCAIN, Mr. THUNE, Mr. BURR, Mr. COBURN, Mr. BENNETT, Mr. ISAKSON, Mr. ENZI, Mr. HATCH, Mr. WICKER, Mr. DEMINT, Mr. ENSIGN, Mr. ROBERTS, Mr. CRAPO, Mr. RISCH, Mr. GRAHAM, Mr. VITTER, and Mr. KYL):

S. 14. A bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWNBACK:

S. 15. A bill to amend the Internal Revenue Code of 1986 to provide a carbon sequestration investment tax credit, and for other purposes; to the Committee on Finance.

By Mr. VOINOVICH:

S. 16. A bill to amend the Immigration and Nationality Act to remove the temporary suspension of waiver authority for participation in the Visa Waiver Program and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM:

S. 17. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Massachusetts:

S. 18. A bill to prohibit aliens who engage in certain activities with respect to Iran from being admitted into the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself and Mr. CHAMBLISS):

S. 19. A bill to amend the Energy Independence and Security Act of 2007 to promote energy security through the production of petroleum from oil sands, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM:

S. 20. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal clean energy standard; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio (for himself and Ms. STABENOW):

S. 3865. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Finance.