

EC-5412. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule Amending the Pacific Halibut Individual Fishing Quota Program Processing Restrictions" (RIN0648-AU85) received on March 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC-5413. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final 2008 Specifications for the Atlantic Bluefish Fishery" (RIN0648-XB94) received on March 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC-5414. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Regulatory Amendment to the FMP for the Shrimp Fishery of the Gulf of Mexico" (RIN0648-AU59) received on March 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC-5415. A communication from the President and Chief Executive Officer, National Railroad Passenger Corporation, transmitting, pursuant to law, the Corporation's Grant and Legislative Request for fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC-5416. A communication from the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Standard for the Flammability of Mattress Sets; Technical Correction" (16 CFR Part 1633) received on March 12, 2008; to the Committee on Commerce, Science, and Transportation.

EC-5417. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Regulatory Program" (Docket No. TX-058-FOR) received on March 12, 2008; to the Committee on Energy and Natural Resources.

EC-5418. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana" (FRL No. 8541-3) received on March 12, 2008; to the Committee on Environment and Public Works.

EC-5419. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Affirmation of Determination of Attainment for the San Joaquin Valley Nonattainment Area" (FRL No. 8542-6) received on March 12, 2008; to the Committee on Environment and Public Works.

EC-5420. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Colorado: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 8541-5) received on March 12, 2008; to the Committee on Environment and Public Works.

EC-5421. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Control of Hazardous Air Pollutants From Mobile Sources: Early Credit Technology Requirement Revision" ((RIN2060-AO89)(FRL

No. 8542-1)) received on March 12, 2008; to the Committee on Environment and Public Works.

EC-5422. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Attorney Advisor Program" (RIN0960-AG49) received on March 12, 2008; to the Committee on Finance.

EC-5423. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dollar-Value LIFO Pooling for Resellers of New and Used Vehicles" (Rev. Proc. 2008-23) received on March 10, 2008; to the Committee on Finance.

EC-5424. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2008-37) received on March 10, 2008; to the Committee on Finance.

EC-5425. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of a Danger Pay Allowance for its civilian employees assigned to Chad; to the Committee on Foreign Relations.

EC-5426. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to human rights practices; to the Committee on Foreign Relations.

EC-5427. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the defense articles and services that were licensed for export during fiscal year 2007; to the Committee on Foreign Relations.

EC-5428. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of the waiver of restrictions contained in Section 907 of the FREEDOM Support Act of 1992; to the Committee on Foreign Relations.

EC-5429. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles to Russia to support a commercial communications satellite; to the Committee on Foreign Relations.

EC-5430. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles to Mexico for the assembly and repair of Honeywell Product Lines for various weapons systems and platforms; to the Committee on Foreign Relations.

EC-5431. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles to Mexico to support the manufacture of electronic connectors and other materials for use in military avionics and guidance systems; to the Committee on Foreign Relations.

EC-5432. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles to the United Kingdom in support of the Directional Infrared Countermeasure System Program; to the Committee on Foreign Relations.

EC-5433. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2008-21- 2008-26); to the Committee on Foreign Relations.

EC-5434. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a semiannual report relative to payments made to Cuba for telecommunications services; to the Committee on Foreign Relations.

EC-5435. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles to Australia to provide continued support for the manufacture of F/A-18 structural components; to the Committee on Foreign Relations.

EC-5436. A communication from the Director, Office of Standards, Regulations, and Variances, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Criteria and Procedures for Proposed Assessment of Civil Penalties" (RIN1219-AB57) received on March 10, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-5437. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, two reports relative to national healthcare quality; to the Committee on Health, Education, Labor, and Pensions.

EC-5438. A communication from the Public Printer, Government Printing Office, transmitting, pursuant to law, the Office's Annual Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC-5439. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations" (RIN3209-AA14) received on March 10, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-5440. A communication from the Acting Chief Acquisition Officer, General Services Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation" (FAC 2005-24) received on March 12, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-5441. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, a report relative to the proceedings of the Judicial Conference of the United States for the September 2007 session; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-291. A resolution adopted by the Board of Chosen Freeholders of the County of Monmouth of the State of New Jersey urging Congress to reverse the decision to close the United States Army Installation at Fort Monmouth; to the Committee on Armed Services.

POM-292. A collection of petitions forwarded by the Benefit Security Coalition relative to establishing a more equitable method of computing cost of living adjustments

for Social Security benefits; to the Committee on Finance.

POM-293. A resolution adopted by the Senate of the State of Michigan urging Congress to reject legislation that would preempt the authority of the Great Lake states to curb the release of ballast water; to the Committee on Commerce, Science, and Transportation.

#### SENATE RESOLUTION NO. 86

Whereas, Ballast water discharges from ships entering the Great Lakes are the leading pathway for the introduction of aquatic invasive species. Since the opening of the St. Lawrence Seaway in 1959, ocean-going ships have introduced more than 30 new species to the Great Lakes; and

Whereas, once introduced and established, aquatic invasive species are nearly impossible to eliminate and costly to control. Zebra mussels and other aquatic invasive species introduced from ballast water have irrevocably changed the Great Lakes and directly cost cities and industries—and indirectly cost Great Lakes residents—tens of millions of dollars per year to control; and

Whereas, current federal ballast water regulations designed to protect the Great Lakes are ineffective. At least eleven new aquatic invasive species have been introduced from ballast water since current requirements for ballast water exchange with open ocean water went into effect, including the recent introduction of viral hemorrhagic septicemia (VHS) that directly threatens the \$4.5-billion Great Lakes fishery; and

Whereas, the ocean-going shipping industry has shown little urgency over the last two decades to develop and install ballast water treatment technology, even as it introduced more and more aquatic invasive species to new regions. Rather, the industry has continuously fought efforts in the United States Congress, state legislatures, and the courts to require expeditious treatment of their ballast water. For every year treatment is not required for ballast water, an additional one to two new species, with unknown but potentially devastating impacts, make the Great Lakes their permanent home; and

Whereas, the state of Michigan has succeeded in identifying and requiring treatment technologies that would provide additional protection to the Great Lakes; and

Whereas, Michigan and other states bear primary responsibility for protecting the health and safety of their citizens and the integrity of natural resources for their citizens. The Congress of the United States acknowledged the authority for the Great Lakes states to act unilaterally to protect and preserve the waters of the Great Lakes Basin in the federal Clean Water Act and the National Invasive Species Act, as affirmed this past summer by the United States District Court for the Eastern District of Michigan; and

Whereas, Federal ballast water legislation, such as the Coast Guard Authorization Act of 2007 (H.R. 2830) and the Ballast Water Management Act of 2007 (S. 1578), would preempt Michigan's efforts to protect its waters from further degradation. Preempting state actions before strong federal treatment standards are in place would leave the Great Lakes vulnerable to future invasions and would trample on fundamental states' rights to protect their natural resources. This shortsighted approach undermines the millions of dollars and thousands of hours spent each year working to restore the Great Lakes to a healthy, self-sustaining system; and

Whereas, The Coast Guard Authorization Act of 2007 and the Ballast Water Management Act of 2007 would also set a precedent

for future federal actions that restrict state authority to protect essential natural resources. Clearly, Michigan and other states are best suited to make decisions that keep waters safe, clean, and healthy for its residents with regulations, when needed, above and beyond minimum federal requirements; now, therefore, be it further

*Resolved by the Senate,* That we memorialize the Congress of the United States to reject legislation that would preempt the authority of the Great Lakes states to curb the release of ballast water; and be it further.

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-294. A resolution adopted by the House of Representatives of the State of Maine urging Congress to ensure funding for veterans' health care; to the Committee on Veterans' Affairs.

#### JOINT RESOLUTION

Whereas, the United States Department of Veterans Affairs provides medical care for all veterans of the United States Armed Forces; and

Whereas, the funding for this health care is passed each year by the United States Congress as part of the discretionary budget; and

Whereas, this health care is seriously underfunded; and

Whereas, this serious and now chronic shortfall affects the veterans' access to quality medical care services; and

Whereas, the United States Department of Veterans Affairs and our Nation have a duty to serve our veterans and have entered into a contract, absolute and irrevocable, to provide them with proper health care: Now, therefore, be it

*Resolved,* That We, your Memorialists, respectfully urge and request that full funding for health care for veterans of the United States Armed Forces be passed and that all parties involved do their utmost to see that those who served their Nation are given the health care they deserve; and be it further

*Resolved,* That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Honorable James B. Peake, Secretary of Veterans Affairs, and to each Member of the Maine Congressional Delegation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute and an amendment to the title:

S. 694. A bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes (Rept. No. 110-275).

By Mr. INOUE, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1580. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes (Rept. No. 110-276).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 352. A bill to provide for media coverage of Federal court proceedings.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Vern M. Findley II, to be Lieutenant General.

Air Force nomination of Lt. Gen. Stephen R. Lorenz, to be General.

Air Force nomination of Maj. Gen. Allen G. Peck, to be Lieutenant General.

Air Force nomination of Maj. Gen. John T. Sheridan, to be Lieutenant General.

Army nomination of Lt. Gen. Martin E. Dempsey, to be General.

Army nomination of Maj. Gen. Kathleen M. Gaaney, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. James F. Amos, to be General.

Navy nomination of Rear Adm. Derwood C. Curtis, to be Vice Admiral.

Navy nominations beginning with Rear Adm. (1h) William R. Burke and ending with Rear Adm. (1h) James P. Wisecup, which nominations were received by the Senate and appeared in the Congressional Record on February 14, 2008.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Andre G. Sarmiento, to be Major.

Air Force nomination of Rickey J. Reynolds, to be Major.

Air Force nomination of Daniel E. Bates, to be Major.

Air Force nominations beginning with Jeffrey D. Lewis and ending with Robert J. Love, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2008.

Air Force nominations beginning with Austin B. Dosh and ending with Joshua M. Sill, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2008.

Air Force nominations beginning with Gerald B. Whisler III and ending with Samuel R. Wetherill, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2008.

Air Force nominations beginning with Frank W. Allara, Jr. and ending with John M. Yaccino, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2008.

Air Force nominations beginning with John R. Andrus and ending with Randall C. Zernzach, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2008.

Air Force nominations beginning with Kathryn L. Aasen and ending with Richard D. Townsend, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2008.

Air Force nominations beginning with Zenen T. Alpuerto and ending with Dustin Zierold, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2008.

Air Force nominations beginning with Lenny W. Arias and ending with Michael K. Townsend, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2008.