

EC-1416. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Omaha, NE" ((Docket No. FAA-2008-1228)(Airspace Docket No. 08-ACE-3)) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1417. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Summersville, WV; Confirmation of Effective Date" ((Docket No. FAA-2008-1073)(Airspace Docket No. 08-AEA-28)) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1418. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Corpus Christi NAS/Truax Field, TX" ((Docket No. FAA-2008-1140)(Airspace Docket No. 08-ASW-24)) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1419. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Natchitoches, LA" ((Docket No. FAA-2008-1229)(Airspace Docket No. 08-ASW-26)) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1420. A communication from the Attorney of the Office of Assistant General Counsel for Legislation and Regulatory Law, Office of Health, Safety and Security, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Occupational Radiation Protection; Correction" (RIN1901-AA95) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Energy and Natural Resources.

EC-1421. A communication from the Deputy Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Testimony by Employees and the Production of Records and Information in Legal Proceedings, Claims Against the Government Under the Federal Tort Claims Act, and Claims Under the Military Personnel and Civilian Employees' Claim Act of 1964; Change of Address for Requests" (RIN0960-AG99) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Finance.

EC-1422. A communication from the Acting Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, Department of Defense, and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-29" (RIN9000-AK91) as received during adjournment of the Senate in the Office of the President of the Senate on April 17, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-1423. A communication from the Acting Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, Department of Defense, and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular

2005-32; Technical Amendments" (Docket 2009-0003) as received during adjournment of the Senate in the Office of the President of the Senate on April 17, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-1424. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of a nomination in the position of Associate Director of National Intelligence and Chief Information Officer, received in the Office of the President of the Senate on April 22, 2009; to the Select Committee on Intelligence.

EC-1425. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled "Report on the Adequacy of Privacy Rules Prescribed Under the E-Government Act of 2002"; 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-18. A resolution adopted by the House of Representatives of the State of Kentucky urging the United States Congress to act swiftly to renew the exemption of the Delta Queen from Public Law 89-777; to the Committee on Energy and Natural Resources.

RESOLUTION

Whereas, the Delta Queen is an integral part of the culture and character of the Ohio River valley; and

Whereas, the Delta Queen has made a lasting impression as a beloved part of the past in the hearts of passengers and crew members; and

Whereas, the Delta Queen is a part of the National Register of Historic Places, a National Historic Landmark, and a jewel of the United States' inland navigable water system; and

Whereas, the Delta Queen is the last of its kind, a sternwheel overnight passenger steamboat like those that contributed to this nation's westward expansion; and

Whereas, the Delta Queen has been and continues to be a safe and reliable vessel; and

Whereas, the Delta Queen was constructed in 1926 to operate as a passenger vessel in northern California, and during World War II was used in the United States Navy as a ferry for wounded being treated in San Francisco; and

Whereas, after being purchased in 1946 by Greene Line Steamers of Cincinnati, Ohio, the Delta Queen was carried from California, to and along the Mississippi and Ohio Rivers, to Pittsburgh, Pennsylvania for refurbishment in order to carry passengers on the nation's inland navigable water system; and

Whereas, Public Law 89-777 mandates that all passenger vessels having berth or stateroom accommodations for 50 or more passengers obey safety requirements, particularly fire safety requirements; and

Whereas, after this act was passed, the wooden construct of the Delta Queen was treated with fire resistant materials and a modern sprinkler system, thereby making this vessel considerably more fire resistant; and

Whereas, the Delta Queen has historically been exempted from Public Law 89-777; and

Whereas, the Delta Queen's safety records do not indicate that she is any less safe today than at any point since the passage of the Act in 1966; and

Whereas, the current exemption for the Delta Queen is to expire in 2008, and the

United States Congress has not acted to grant another exemption for the Delta Queen to allow her to continue operating; Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. The House of Representatives of the Commonwealth of Kentucky hereby urges the United States Congress to act swiftly to continue the exemption of the Delta Queen from Public Law 89-777.

Section 2. The Clerk of the House of Representatives shall forward a copy of this Resolution to the Clerk of the United States Senate, the clerk of the United States House of Representatives, and all of the members of Kentucky's Congressional Delegation.

POM-19. A resolution adopted by the St. Charles County Council of the State of Missouri supporting the Missouri House Concurrent Resolution 13 relating to state sovereignty; to the Committee on the Judiciary.

RESOLUTION No. 09-03

Whereas, House Concurrent Resolution 13 (hereinafter "HCR13"), introduced at the Ninety-fifth General Assembly, First Regular Session the Missouri House of Representatives, is on the House Concurrent Resolutions calendar; and

Whereas, HCR 13 calls on the federal government to heed the Tenth Amendment to the Constitution of the United States which states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."; and

Whereas, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States; and

Whereas, powers not specifically granted to the federal government or prohibited to the states by the constitution are reserved in the Tenth Amendment to the states or to the people; and

Whereas, the states are concerned that over the course of time the federal government has developed an increasing policy to enact laws and regulations which treat the states as agents of the federal government in violation of the intent of the Tenth Amendment; and

Whereas, evidence of the federal entry into powers reserved to the states is evident in federal legislation that directs states to comply with federal mandates under threat of civil or criminal penalties or of loss of necessary federal funding; and

Whereas, in *New York v. United States*, 112 S.Ct. 2408, 2431 (1992) the United States Supreme Court ruled the Constitution protects the sovereignty of the states not for the states as abstract entities or for the public officials in charge of them, but for the protection of individuals so that the risk of tyranny or abuse from either the federal or state government is reduced by a healthy balance of power between the federal and state government; and

Whereas, the Missouri House has before it House Concurrent Resolution 13 (HCR 13) calling on the federal government to cease and desist from mandates beyond the scope of federal powers as enumerated in the constitution; and

Whereas, HCR 13 calls upon the federal government to cease passing compulsory federal legislation directing the states to comply or lose funding or face penalties and to repeal such laws already enacted; and

Whereas, the St. Charles County Council, for the reasons set forth above, concurs with HCR 13: Now, therefore, be it

Resolved by the County Council of St. Charles County, Missouri, as follows:

Section 1. The St. Charles County Council hereby enacts this Resolution to offer its support in favor of passage of House Concurrent Resolution 13.

Section 2. A copy of this resolution shall be forwarded to the respective Clerks of the Missouri Senate and the House of Representatives.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

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

*John Morton, of Virginia, to be an Assistant Secretary of Homeland Security.

*William Craig Fugate, of Florida, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

*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 Ms. SNOWE (for herself and Ms. COLLINS):

S. 899. A bill to establish an assistance program for the construction of digital TV translators to fill coverage gaps that are created from the transition from analog to digital signals; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN:

S. 900. A bill to require the establishment of a credit card safety star rating system for the benefit of consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 901. A bill to establish the Oregon Task Force on Sustainable Revenue for Counties, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself, Mr. REED, and Mr. INOUE):

S. 902. A bill to provide grants to establish veteran's treatment courts; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. GILLIBRAND:

S. Res. 114. A resolution expressing support for designation of April 27, 2009, as "National Healthy Schools Day"; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S.

46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 182

At the request of Mr. UDALL of New Mexico, his name was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 211

At the request of Mrs. MURRAY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 229

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 235

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 235, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

S. 386

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. BURRIS), the Senator from New York (Mrs. GILLIBRAND), the Senator from Maryland (Ms. MIKULSKI), the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. DODD), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Mr. CARDIN), the Senator from Arkansas (Mr. PRYOR) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 386, a bill to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

S. 414

At the request of Mr. DODD, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 414, a bill to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Vet-

erans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 427

At the request of Mrs. LINCOLN, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 427, a bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

S. 433

At the request of Mr. UDALL of New Mexico, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 433, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a renewable electricity standard, and for other purposes.

S. 454

At the request of Mr. LEVIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 454, a bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

S. 461

At the request of Mrs. LINCOLN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Mississippi (Mr. WICKER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 468

At the request of Ms. STABENOW, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 468, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 475

At the request of Mr. BURR, the names of the Senator from Utah (Mr. HATCH) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 476

At the request of Mrs. BOXER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor