

transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the New Hampshire Advisory Committee; to the Committee on the Judiciary.

EC-2060. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the District of Columbia Advisory Committee; to the Committee on the Judiciary.

EC-2061. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Offering of United States Savings Bonds, Series I" (31 CFR Part 359) received in the Office of the President of the Senate on June 17, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2062. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment" (12 CFR Part 747) received in the Office of the Senate on June 17, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2063. 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 "Procedures for Treating Intercompany Transactions on a Separate Entity Basis Under Treas. Reg. Section 1.1502-13(E)(3)" (Rev. Proc. 2009-31) received in the Office of the President of the Senate on June 17, 2009; to the Committee on Finance.

EC-2064. 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 No. 2009-56) received in the Office of the President of the Senate on June 16, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2065. A communication from the Acting Administrator, General Services Administration, Department of Defense and National Aeronautics and Space Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2008 through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-2066. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Letter Report: Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 4th Quarter of the Fiscal Year 2008"; to the Committee on Homeland Security and Governmental Affairs.

EC-2067. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Letter Report: Audit of Advisory Neighborhood Commission 6C for Fiscal Years 2005 through 2008, as of March 31, 2008"; to the Committee on Homeland Security and Governmental Affairs.

EC-2068. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation relative to the Department of Veterans Affairs major facility construction projects and major facility leases for Fiscal Year 2010; to the Committee on Veterans' Affairs.

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-49. A joint resolution adopted by the Legislature of the State of Maine urging the President, the Secretary of Energy, and Congress to review national policy on used nuclear fuel; to the Committee on Energy and Natural Resources.

JOINT RESOLUTION

Whereas, nuclear utility ratepayers have committed more than \$31,000,000,000 in fees and interest, as mandated under the federal Nuclear Waste Policy Act of 1982, for the purpose of establishing a permanent repository for storage of used nuclear fuel from commercial reactors and defense-related high-level radioactive waste; and

Whereas, the ratepayers of Maine Yankee, Maine's former nuclear power facility, now decommissioned, paid \$65,500,000 into the federal Nuclear Waste Fund for nuclear fuel used after the Nuclear Waste Policy Act was enacted in 1982 and are continuing to make payments into the Spent Nuclear Fuel Disposal Trust Fund to fund a \$185,000,000 obligation for the disposal of spent nuclear fuel used prior to 1983; and

Whereas, the United States Government failed to begin accepting commercial used fuel by 1998 as required by the Nuclear Waste Policy Act of 1982 and by contracts with used fuel owners, and only in 2008 did the United States Department of Energy finally submit an application to the federal Nuclear Regulatory Commission to construct a permanent used fuel repository; and

Whereas, the expected funding levels for the permanent fuel disposal program in the fiscal year 2009 federal budgets and statements by the Federal Government concerning the fiscal year 2010 federal budgets point to continuing chronic delays for the Yucca Mountain repository, if not the outright termination of the project; and

Whereas, the Federal Government's failure to meet its 1998 statutory and legal obligations to accept used fuel has led to the Federal Government's being found in partial breach of the contracts with nuclear utility owners, leading to federal taxpayer payments to the utilities of about \$1,000,000,000 thus far; and

Whereas, in light of the Federal Government's failure to meet its responsibility, the commercial nuclear industry has embraced an integrated nuclear fuel management program incorporating:

1. Continued safe and secure storage of used fuel at commercial plant sites;

2. Development of 2 Nuclear Regulatory Commission-licensed private or government-owned centralized interim storage facilities in communities that would host such facilities voluntarily;

3. Continued public and private sector efforts on research, development and deployment of technologies to recycle used fuel in a safe, environmentally responsible, proliferation-resistant and commercially viable way; and

4. Continued review of the permanent repository license application by the Nuclear Regulatory Commission and continued policymaker engagement to ensure the safety and security of whatever facilities or sites ultimately are chosen for permanent disposal of the by-products of the once-through or close nuclear fuel cycle; and

Whereas, several prominent national state officials' organizations, the National Conference of State Legislatures, the National Association of Regulatory Utility Commissioners and the American Legislative Exchange Council, have all endorsed immediate establishment of centralized Nuclear Regulatory Commission-licensed interim fuel storage facilities in voluntary host commu-

nities and continued research on the recycling of fuel and other advanced fuel management technologies: Now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge and request the United States Government to protect nuclear utility ratepayers by immediately reducing the fee that sustains and overfunds the Nuclear Waste Fund to a level that will cover only the costs incurred by the Department of Energy, Nuclear Regulatory Commission and local Nevada government units that provide oversight of the permanent used fuel repository program; and be it further

Resolved, That We, your Memorialists, also respectfully urge the United States Government to immediately enact legislation expediting the establishment of 2 Nuclear Regulatory Commission-licensed, private or government-owned interim storage facilities for used commercial nuclear fuel, with community incentives funded by the Nuclear Waste Fund, and requiring the Department of Energy to take possession of, safely transport and store used fuel at these facilities by leasing space at these facilities, and giving first priority to moving fuel from decommissioned plants; and be it further

Resolved, That We, your Memorialists, also respectfully urge the United States Government to enact legislation creating an independent panel of esteemed public policy, scientific, environmental, engineering and affected community leaders that would be charged with conducting a long-term strategic assessment of the Nation's used fuel and defense waste management practices and developing specific recommendations on how to proceed in the future while interim storage facilities are being developed; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the United States Secretary of Energy, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-50. A resolution adopted by the Senate of the General Assembly of the State of Tennessee urging the President and Congress to oppose legislation relative to the Employee Free Choice Act; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 26

Whereas, the right to private elections is the cornerstone of American democracy; and

Whereas, private ballot elections are the most democratic way to determine employees' wishes and guarantee an outcome unaffected by outside pressures; and

Whereas, federally supervised elections conducted by the National Labor Relations Board have been the accepted law governing union recognition campaigns for sixty years, providing detailed procedures that ensure a fair election, free of fraud, where employees may cast their vote confidentially without peer pressure or coercion from unions or employers; and

Whereas, limiting union recognition to signing authorization cards ("card check") in the presence of union officials, coworkers, and employers does not reflect the unbiased will of employees; and

Whereas, in recent years, the vast majority of businesses targeted by union organizing campaigns have been small businesses with fifty or fewer employees; and

Whereas, small businesses are more likely to be held captive at the will of union organizing efforts, as they have less resources for the lengthy legal process of union recognition campaigns; and

Whereas, efforts to eliminate private elections are an attack on the free speech rights of business and workers' individual rights; and

Whereas, compulsory binding arbitration, which would force employers to accept the terms of a first contract if the employer and the union cannot agree, is fundamentally unconstitutional, and will dramatically undermine the ability of any employer to negotiate; and

Whereas, compulsory arbitration discourages the parties from offering compromises in bargaining for fear that they may prejudice their position in arbitration: Now, therefore, be it

Resolved by the Senate of the One Hundred Sixth General Assembly of the State of Tennessee, That the General Assembly and the people of the State of Tennessee oppose proposals seeking to eliminate the private election phase of union recognition campaigns and implement compulsory binding arbitration on employers. Be it further

Resolved, that the Senate and the people of the State of Tennessee support democracy in the workplace by maintaining every worker's right to privately decide whether or not to allow a particular union to represent their interests. Be it further

Resolved, that the Senate urges the President of the United States and the United States Congress to oppose legislation that is detrimental to the rights of workers and is an offense against democratic principles by opposing the Employee Free Choice Act and any of its components in 2009 and in future years.

POM-51. A resolution adopted by the City Council of Port Townsend, Washington urging state and federal elected officials to suspend expanded Border Patrol activity until the utility, legality, and constitutionality of the expansion can be determined by Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. NELSON, of Nebraska, from the Committee on Appropriations, without amendment:

S. 1294. An original bill making appropriations for the legislative branch for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111-29).

By Mr. INOUE, from the Committee on Appropriations:

Special Report entitled "Allocation to Subcommittees of Budget Totals From the Concurrent Resolution, Fiscal Year 2010" (Rept. No. 111-30).

By Mr. REID (for Mr. BYRD), from the Committee on Appropriations, without amendment:

S. 1298. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111-31).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Gordon S. Hedell, of the District of Columbia, to be Inspector General, Department of Defense.

*Zachary J. Lemnios, of Massachusetts, to be Director of Defense Research and Engineering.

*Jamie Michael Morin, of Michigan, to be an Assistant Secretary of the Air Force.

Air Force nomination of Col. James J. Carroll, to be Brigadier General.

Air Force nomination of Maj. Gen. William T. Lord, to be Lieutenant General.

Air Force nominations beginning with Brigadier General James W. Kwiatkowski and ending with Colonel Wayne A. Wright, which nominations were received by the Senate and appeared in the Congressional Record on May 12, 2009.

Air Force nomination of Gen. Carrol H. Chandler, to be General.

Air Force nominations beginning with Colonel Steven J. Arquette and ending with Colonel Kenneth S. Wilsbach, which nominations were received by the Senate and appeared in the Congressional Record on May 14, 2009. (minus 2 nominees: Colonel Howard B. Baker; Colonel Kenneth J. Moran)

Air Force nomination of Maj. Gen. Gilmory M. Hostage III, to be Lieutenant General.

Air Force nomination of Lt. Gen. Glenn F. Spears, to be Lieutenant General.

Air Force nomination of Brig. Gen. Douglas J. Robb, to be Major General.

Army nomination of Maj. Gen. Dennis L. Via, to be Lieutenant General.

Army nominations beginning with Brigadier General Harold G. Bunch and ending with Colonel James T. Williams, which nominations were received by the Senate and appeared in the Congressional Record on May 12, 2009.

Army nomination of Lt. Gen. David M. Rodriguez, to be Lieutenant General.

Army nomination of Maj. Gen. Robert W. Cone, to be Lieutenant General.

Navy nominations beginning with Rear Adm. (1h) Kathleen M. Dussault and ending with Rear Adm. (1h) Mark F. Heinrich, which nominations were received by the Senate and appeared in the Congressional Record on February 9, 2009.

Navy nomination of Rear Adm. (1h) Janice M. Hamby, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) Steven R. Eastburg, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) Thomas P. Meek, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (1h) Joseph F. Campbell and ending with Rear Adm. (1h) John C. Orzalli, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2009.

Navy nominations beginning with Rear Adm. (1h) Townsend G. Alexander and ending with Rear Adm. (1h) Edward G. Winters III, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2009.

Navy nomination of Rear Adm. (1h) Michael W. Broadway, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) Sean F. Crean, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (1h) Patrick E. McGrath and ending with Rear Adm. (1h) Michael M. Shatynski, which nominations were received by the Senate and appeared in the Congressional Record on March 11, 2009.

Navy nomination of Capt. Ron J. MacLaren, to be Rear Admiral (lower half).

Navy nomination of Capt. Robin L. Graf, to be Rear Admiral (lower half).

Navy nomination of Capt. David G. Russell, to be Rear Admiral (lower half).

Navy nominations beginning with Capt. Kurt L. Kunkel and ending with Capt. Jonathan A. Yuen, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2009.

Navy nominations beginning with Capt. Katherine L. Gregory and ending with Capt. Kevin R. Slates, which nominations were re-

ceived by the Senate and appeared in the Congressional Record on April 23, 2009.

Navy nomination of Vice Adm. Ann E. Rondeau, to be Vice Admiral.

Navy nomination of Rear Adm. Joseph D. Kernan, to be Vice Admiral.

Marine Corps nomination of Lt. Gen. Richard C. Zilmer, to be Lieutenant General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD 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 nominations beginning with Stephen R. Dasuta and ending with Beth M. Dittmer, which nominations were received by the Senate and appeared in the Congressional Record on May 14, 2009.

Air Force nomination of Thomas J. Sobieski, to be Colonel.

Air Force nominations beginning with John E. Blair and ending with Peter T. Tran, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Air Force nomination of Joshua D. Rosen, to be Major.

Air Force nominations beginning with Mark W. Anderson and ending with Steven W. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 1, 2009.

Air Force nomination of Jeffrey A. Lewis, to be Colonel.

Army nominations beginning with Christopher L. Arnheiter and ending with James W. Turonis, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2009.

Army nominations beginning with Bret T. Ackermann and ending with D060652, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2009.

Army nominations beginning with Kindall L. Jones and ending with William J. Novak, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Army nominations beginning with Sharon E. Blondeau and ending with Karen D. Chambers, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Army nominations beginning with Rebecca D. Lange and ending with Robert Santiago, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Army nominations beginning with Walter A. Behnert and ending with Zachariah P. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Army nominations beginning with Arthur R. Baker and ending with Anita M. Yearley, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Army nominations beginning with Dennis C. Ayer and ending with Jeffrey O. Young, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.

Army nominations beginning with Michael C. Oguinn and ending with Tracy L. Smith, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2009.