



*Deputy Secretary*  
U.S. Department of Homeland Security  
Washington, DC 20528  
**Homeland Security**

December 30, 2008

The Honorable John M. Boehner  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Representative Boehner:

Thank you for your December 3, 2008 letter to the President concerning the historic steamboat Delta Queen.

I certainly share your interest in ensuring the continued safe operation of this National Historic Landmark for overnight passenger cruises. We have reviewed the 1966 *Safety at Sea Act* and associated regulations. Unfortunately, while it appears that regulations issued under the Act provide for an exemption for a particular voyage if the voyage can be conducted with safety, the Delta Queen's request—which is not for a particular voyage, but for *all* of its voyages—is not contemplated by those regulations.

We regret that the regulations will not allow us to grant your request.

Please feel free to contact me if I can be of further assistance in this matter.

Sincerely,

Paul A. Schmelder

cc: Joseph I. Lieberman,  
Chairman, Senate Committee on Homeland Security and Governmental Affairs  
Joshua Bolton,  
White House Chief of Staff

Stephen J. Hadley,  
Assistant to the President for National Security Affairs  
Jim Nussle,  
Director, Office of Management and Budget