

90 Limits of Liability (Vessels and Deep-water Ports)" ((RIN1625-AA98)(Docket No. USCG-2005-21780)) received on September 25, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8145. 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 Airspace; Jacksonville Whitehouse NOLF, FL" ((Docket No. FAA-2007-29058)(Airspace Docket No. 07-ASO-21)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8146. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; New Braunfels, Texas" ((Docket No. FAA-2007-29372)(Airspace Docket No. 07-ASW-9)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8147. 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 E Airspace; Jacksonville Cecil Field, FL" ((Docket No. FAA-2007-29055)(Airspace Docket No. 07-ASO-19)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8148. 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 Airspace; Jacksonville NAS, FL" ((Docket No. FAA-2007-29057)(Airspace Docket No. 07-ASO-20)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8149. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D Airspace; Brunswick, ME" ((Docket No. FAA-2008-0203)(Airspace Docket No. 08-ANE-99)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8150. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Arrius 2F Turboshift Engines" ((RIN2120-AA64)(Docket No. FAA-2007-28053)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8151. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330 and A340 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-0347)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8152. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS 355 N Helicopters" ((RIN2120-AA64)(Docket No. FAA-2008-0041)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-8153. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled "Establishment of Low Altitude Area Navigation Route T-209; GA" ((RIN2120-AA66)(Docket No. FAA-2007-28161)) received on September 30, 2008; to the Committee on Commerce, Science, and Transportation.

## 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:

S. 3655. A bill to amend the Internal Revenue Code of 1986 to exclude from an employee's gross income any employer-provided supplemental instructional services assistance, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 3656. A bill to preserve access to healthcare under the Medicare and Medicaid programs; to the Committee on Finance.

By Mr. BAUCUS:

S. 3657. A bill to provide additional respite care for spouses of members of the Armed Forces who deploy overseas, and for other purposes; to the Committee on Armed Services.

By Mr. CARPER:

S. 3658. A bill to require the accreditation of English language training programs, and for other purposes; considered and passed.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. DOLE (for herself, Mr. BROWN, Mr. VOINOVICH, Mr. BURR, Mr. STEVENS, Mr. VITTER, Mr. ROBERTS, and Mr. MCCONNELL):

S. Res. 695. A resolution commending the Honor Flight Network and its volunteers and donors for making it possible for World War II veterans to travel to the Nation's capital to visit the World War II Memorial created in their honor; considered and agreed to.

By Mr. STEVENS (for himself and Ms. MURKOWSKI):

S. Res. 696. A resolution designating September 2008 as "National Youth Court Month"; considered and agreed to.

By Mr. ROCKEFELLER (for himself and Mr. BENNETT):

S. Res. 697. A resolution supporting the goals and ideals of National Cyber Security Awareness Month and raising awareness and enhancing the state of computer security in the United States; considered and agreed to.

By Mr. REID (for Mr. BIDEN (for himself, Mr. GRASSLEY, Mr. CASEY, Mrs. DOLE, Mr. LEAHY, Mrs. BOXER, Mr. INHOFE, Mr. WHITEHOUSE, Mr. JOHNSON, Mr. WYDEN, and Mr. BAYH)):

S. Res. 698. A resolution designating October 17, 2008, as "National Mammography Day"; considered and agreed to.

By Mr. DODD (for himself, Ms. COLLINS, Mr. BIDEN, Mr. MCCAIN, Mr. LEAHY, and Mr. OBAMA):

S. Res. 699. A resolution supporting the work of firefighters to educate and protect the Nation's communities, and the goals and ideals of Fire Prevention Week, October 5-11, 2008, as designated by the National Fire Protection Association; considered and agreed to.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. LEVIN, Ms. STABENOW,

Mr. MARTINEZ, Mr. DURBIN, Mrs. DOLE, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. SHELBY, Mr. FEINGOLD, Mr. BUNNING, Mr. NELSON of Florida, Mr. BURR, Mrs. BOXER, and Mr. LAUTENBERG):

S. Res. 700. A resolution congratulating Michael Phelps and the members and coaches of the United States Olympic Swimming Team for their record-breaking performance at the 2008 Summer Olympic Games in Beijing, China; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 587

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 587, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Model T Ford Automobile and the 100th anniversary of the Highland Park Plant, Michigan, the birthplace of the assembly line, and for other purposes.

S. 826

At the request of Mr. MENENDEZ, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 826, a bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women.

S. 1130

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1130, a bill to amend the Internal Revenue Code of 1986 to restore, increase, and make permanent the exclusion from gross income for amounts received under qualified group legal services plans.

S. 2928

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2928, a bill to ban bisphenol A in children's products.

S. 3331

At the request of Mr. BAUCUS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3331, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 3416

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3416, a bill to amend section 40122(a) of title 49, United States Code, to improve the dispute resolution process at the Federal Aviation Administration, and for other purposes.

S. 3505

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3505, a bill to amend title XVIII of the Social Security Act to

provide for the coverage of home infusion therapy under the Medicare Program.

S. 3539

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3539, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 3596

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3596, a bill to stabilize the small business lending market, and for other purposes.

S. 3652

At the request of Ms. CANTWELL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 3652, a bill to provide for financial market investigation, oversight, and reform.

S. 3653

At the request of Mrs. CLINTON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3653, a bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products.

S. RES. 616

At the request of Mrs. LINCOLN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. Res. 616, a resolution reducing maternal mortality both at home and abroad.

S. RES. 630

At the request of Mrs. CLINTON, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 630, a resolution recognizing the importance of connecting foster youth to the workforce through internship programs, and encouraging employers to increase employment of former foster youth.

S. RES. 636

At the request of Mr. GRAHAM, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. Res. 636, a resolution recognizing the strategic success of the troop surge in Iraq and expressing gratitude to the members of the United States Armed Forces who made that success possible.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 3655. A bill to amend the Internal Revenue Code of 1986 to exclude from an employee's gross income any employer-provided supplemental instructional services assistance, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, today I rise to introduce legislation to increase

access for our Nation's children to affordable, quality tutoring. The Affordable Tutoring for Our Children Act would enable middle-class families to purchase supplemental instructional services on a pre-tax basis, ensuring greater utilization of critical educational tools.

A sound education for every American child is fundamental to the well-being and prosperity of our society, both now and in the future. Yet, as we are all acutely aware, not every child learns at the same pace, nor in the same manner, and some face unique challenges that cannot be overcome simply in a typical classroom setting. Many children require—and greatly benefit from—additional help in academics. Regrettably, our nation's middle-class families are increasingly unable to afford this essential ancillary support for their children. These families find themselves under considerable and ever-increasing financial strain, with more and more income going to pay for gasoline, health care, groceries, and a multitude of other expenses. Furthermore, according to a 2007 report from Demos and the Institute on Assets & Social Policy at Brandeis University, more than half of middle-class families have no financial assets, or worse, their debts exceed their assets.

At present, employees may set aside a portion of their earnings to establish a flexible spending account, or FSA, allowing them to pay for qualified medical or dependent care expenses free from income and payroll taxes. Our legislation would permit employees to use their dependent care FSAs to cover supplemental instructional expenses, thereby saving themselves up to 40 percent of their cost. Critically, this bill is targeted to middle-class families, those who most necessitate our assistance. Indeed, only those employees making \$105,000 or less per year would be able to exclude amounts paid for these services from their taxable income. Additionally, supplemental instructional expenses would be subject to a combined \$5,000 cap with other dependent care expenses.

This bill would help more middle-class children to receive extra assistance for a host of subjects ranging from English and mathematics to science, government, and foreign languages. At a time when graduates who attain a bachelor's degree earn roughly 96 percent more than high school graduates, according to the U.S. Bureau of the Census, it is vital that our Nation's children get the help they need to succeed.

With middle-class families feeling the squeeze from every angle, our legislation would provide essential relief for those parents seeking to ensure that their children have the best educational experience possible. I urge my colleagues to consider the dramatic advantage our children will gain from this crucial bill, and look forward to its passage in a timely manner.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3655

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Affordable Tutoring of Our Children Act".

#### SEC. 2. EXCLUSION OF EMPLOYER-PROVIDED SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE.

(a) IN GENERAL.—Section 129 of the Internal Revenue Code of 1986 (relating to dependent care assistance programs) is amended—

(1) by inserting "and supplemental instructional services assistance" after "dependent care assistance" each place it appears (except in subsections (d)(4) and (e)(1) thereof), and

(2) by inserting "and supplemental instructional services" after "dependent care services" both places it appears in subsection (a)(2).

(b) SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE.—Section 129(e) of the Internal Revenue Code of 1986 (relating to definitions and services) is amended by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively, and by inserting after paragraph (1) the following new paragraph:

"(2) SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE.—

"(A) IN GENERAL.—The term 'supplemental instructional services assistance' means the payment of, or provision of, supplemental instructional services to an employee's dependent (as defined in subsection (a)(1) of section 152, determined without regard to subsection (c)(1)(C) thereof) who—

"(i) has attained the age of 5 but not the age of 19 as of the close of the calendar year in which the taxable year of the employee begins, and

"(ii) has not obtained a high school diploma or been awarded a general education degree.

"(B) SUPPLEMENTAL INSTRUCTIONAL SERVICES.—The term 'supplemental instructional services' means instructional or other academic enrichment services which are—

"(i) in addition to instruction provided during the school day,

"(ii) specifically designed to increase the academic achievement of such dependent,

"(iii) in the core academic studies of English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, social studies, and geography, and

"(iv) provided by a State certified instructor or accredited organization."

(c) NO EXCLUSION FOR SUPPLEMENTAL INSTRUCTIONAL SERVICES ASSISTANCE PROVIDED TO HIGHLY COMPENSATED EMPLOYEES.—Section 129(a)(2)(A) of the Internal Revenue Code of 1986 (relating to limitation of exclusion) is amended by inserting " , except that no amount may be excluded under paragraph (1) for supplemental instructional services paid or incurred by an employee who is a highly compensated employee (within the meaning of section 414(q))" after "individual)".

(d) CONFORMING AMENDMENTS.—

(1) Section 21(b)(2)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: "Such term shall not include any amount paid for supplemental instructional services (as defined in section 129(e)(2)(B))."