

envisioned. Additionally, the legislation included provisions requiring regular reports from the Treasury to Congress, Tranche reports outlining any assets Treasury chooses to purchase, and reports from the Comptroller General at the Government Accountability Office. The Act also places controls on executive compensation and corporate governance at participating entities. Taken together, these provisions were aimed to provide a sturdy foundation for ensuring the program is properly overseen.

However, despite these controls, many of these oversight provisions have been slowly implemented or outright ignored until recently. To date, the Senate has only held hearings on the nomination for the Special Inspector General and it is unclear when the nomination will be approved. Until then, the Inspector General at the Department of the Treasury has devoted some resources to overseeing the TARP, but we need to act expeditiously to approve the Special Inspector General to ensure someone is watching over all these taxpayer funds.

I do believe once we confirm a nominee to be the Special Inspector General that this office will face an uphill battle to work quickly to hire staff and to get operations moving to find out where all the billions of dollars are and how they were spent. This isn't an impossible task, but it is one that will take serious effort and great leadership to accomplish.

One concern I have with the Special Inspector General is the lack of authority that office will have to oversee the TARP and new, evolving programs under the TARP such as the Capital Purchase Plan, or CPP. The Secretary of the Treasury has indicated publicly that he intends to continue utilizing his authority under the Act to use the TARP and the CPP to continue to provide taxpayer funds via equity injections and stock warrant purchases to banks, financial institutions, and other entities, as opposed to purchasing distressed assets as the TARP was originally envisioned. While the Secretary is acting within his authority, this change was not necessarily envisioned from the oversight perspective when the Special Inspector General authorization was drafted. Instead, the current Act could be construed to only give the Special Inspector General the authority to review purchases of distressed assets and not the purchases and equity injections currently ongoing under the CPP. As a result, the Special Inspector General could be limited in authority to review the TARP before he takes office.

To rectify this, Senator MCCASKILL and I are here today to introduce a simple legislative fix to this provision that would amend the Act to allow the Special Inspector General to review all actions taken under the TARP, including those of the CPP. This is a straight forward solution to ensure that the Special Inspector General has all the

authority necessary to oversee the taxpayer dollars that are being used to stabilize the financial industry.

This legislation makes one other change to the Act that will help the Special Inspector General hit the ground running once the Senate confirms the nomination. Looking back to the last Special Inspector General Congress created, the Special Inspector General for Iraq Reconstruction, SIGIR, we noted that Congress provided SIGIR the authority to utilize special hiring authority to fill these important jobs quickly and not have them tied up in bureaucratic red tape. This section of our bill simply states that the Special Inspector General may utilize special expedited hiring authority authorized under 5 U.S.C. §3161 for the first six months after the date of enactment to get the office up and running. Further, the section also removes statutory limits for how long these special appointments may serve because we do not want to limit the length of time these employees can work for the Special Inspector General given we don't know how long they will be needed to oversee this program.

Taken together, these two simple provisions are necessary to ensure that the Special Inspector General is the aggressive, independent watchdog we envisioned when we passed the Act and not just a paper tiger. As a long time supporter of Inspectors General, I believe this legislation is necessary to ensure the success of the Special Inspector General. I urge my colleagues to support this urgent legislative fix to help ensure that American taxpayer dollars are not lost to fraud, waste, or abuse because of a simple oversight in the drafting of the original legislation.

By Ms. STABENOW (for herself and Mr. CORNYN):

S. 3717. A bill to amend the Internal Revenue Code of 1986 to allow reimbursement from flexible spending accounts for certain dental products; to the Committee on Finance.

Mr. CORNYN. Mr. President, I am pleased to join my colleague, Ms. STABENOW, in introducing the Dental Health Promotion Act of 2008. This bill would make expenditures on dental products used to prevent or treat diseases of the mouth to be considered "qualified" medical expenses eligible for reimbursement from a flexible spending arrangement, FSA. It is identical to H.R. 3109, which was introduced in the House of Representatives in July 2007.

FSAs are vehicles that allow individuals to use pretax dollars to pay for "qualified" medical and dental expenses that are not reimbursed by other sources, such as a health insurance plan. Qualified medical and dental expenses are defined in Section 213(d) of the Internal Revenue Code and its accompanying regulations and include prescription and over-the-counter products. For example, an individual can use FSA dollars to pay for items such

as cold medicine, Band-Aids, or pain relievers. In addition, some dental expenses are currently reimbursable, such as a crown or a regular dental checkup. But the money spent on dental products such as fluoride toothpaste, a spin toothbrush, or dental floss is not currently reimbursable, even though they help prevent tooth decay. In fact, toothpaste is specifically excluded from the definition of a qualified expense.

I believe this is an inequity in our tax law that needs to be corrected. More and more medical research is demonstrating the link between good oral health and overall health. For example, research shows that pregnant women with poor oral health tend to deliver lower birth rate babies. Unfortunately, the definition of dental expenses has not kept up with medical research.

The legislation Senator STABENOW and I are introducing today would update the rules governing FSAs to ensure that funds spent on dental products used to treat or prevent oral disease are treated the same as other over-the-counter medical expenses. For those concerned about abuse, this bill makes it clear that money spent on cosmetic products would not be considered a qualified expense that can be reimbursed by an FSA.

Mr. President, it makes sense to invest in disease prevention on the front end. Allowing individuals to set aside money in their FSA to pay for dental products that can help prevent cavity or periodontal disease will help to reduce future expenditures on more costly treatments.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 710—DESIGNATING THE WEEK OF FEBRUARY 2 THROUGH FEBRUARY 6, 2009, AS "NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK"

Mr. CRAPO (for himself, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MURKOWSKI, Mr. SCHUMER, and Mr. BAYH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 710

Whereas 1 in 11 adolescents reports being a victim of physical dating violence;

Whereas dating violence occurs more frequently among black students (13.9 percent) than among Hispanic (9.3 percent) or white (7 percent) students;

Whereas 1 in 5 teenagers in a serious relationship reports having been hit, slapped, or pushed by a partner;

Whereas more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas 30 percent of teenagers in a dating relationship have been text messaged 10, 20, or 30 times per hour by a partner attempting to find out where they are, what they are doing, or who they are with;

Whereas 40 percent of the youngest "tweens", those between the ages of 11 and

12, report that their friends are victims of verbal abuse in dating relationships;

Whereas nearly 3 in 4 teens say that dating relationships usually begin at age 14 or younger;

Whereas 29 percent of girls who have been in a relationship said that they have been pressured to have sex or to engage in sexual activities that they did not want;

Whereas 69 percent of all teenagers who had sex by age 14 said they have experienced 1 or more types of abuse in a dating relationship;

Whereas 1 in 5 teenagers (20 percent) between the ages of 13 and 14 say their friends are victims of dating violence;

Whereas in 2003, in a national survey of over 14,000 high school students conducted by the Centers for Disease Control and Prevention, just over 8 percent of boys and girls reported physical dating violence victimization and were more likely to engage in risky behaviors including sexual intercourse, attempted suicide, episodic heavy drinking, and physical fighting;

Whereas Native American women experience higher rates of interpersonal violence than any other population group;

Whereas violent relationships in adolescence can have serious ramifications for victims, putting them at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where the pattern of violence has been established in adolescence;

Whereas more than 3 times as many teens (20 percent) as parents of teens (6 percent) admit that parents know little or nothing about the teens' dating relationships;

Whereas a majority of parents surveyed either believe dating violence is not an issue or admit they do not know if it is an issue; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Week will benefit schools, communities, and families regardless of socio-economic status, race, or sex: Now, therefore be it

Resolved, That the Senate—

(1) designates the week of February 2 through February 6, 2009, as "National Teen Dating Violence Awareness and Prevention Week"; and

(2) calls upon the people of the United States, high schools, law enforcement, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence in their communities.

SENATE RESOLUTION 711—CON- DEMNING THE TRAGIC AND SENSELESS DEATH BY STONING OF A 13-YEAR-OLD GIRL FROM SOMALIA

Ms. COLLINS (for herself, Mrs. FEINSTEIN, Ms. SNOWE, Ms. LANDRIEU, Ms. STABENOW, and Mrs. CLINTON) submitted the following resolution; which was considered and agreed to:

S. RES. 711

Whereas a child from Somalia, identified as Aisha Ibrahim Duhulow, was raped by 3 men, and when her family reported the rape to authorities of the al-Shabaab militia that control the city of Kismayu, Somalia, she was accused of adultery and ordered to be stoned;

Whereas, in October 2008, Aisha Ibrahim Duhulow was stoned to death by 50 militant

men before 1,000 witnesses in a public stadium;

Whereas al-Shabaab, some of whose members are affiliated with al Qaeda, is a violent and brutal extremist group that has used intimidation and committed human rights violations to undermine the Transitional Federal Government of Somalia and threaten activists in civil society working to bring about peace through political dialogue and reconciliation;

Whereas, on February 29, 2008, Secretary of State Condoleezza Rice designated al-Shabaab as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and placed the organization on the list of specially designated global terrorists established under the International Emergency Economic Powers Act and initiated under Executive Order 13224;

Whereas the 2007 Country Report on Human Rights Practices in Somalia, released on March 11, 2007, by the Department of State, cited the "poor human rights situation" in Somalia, including "unlawful and politically motivated killings, official impunity, and discrimination and violence against women";

Whereas stoning is a grave and serious violation of human rights law, in which the victim is killed in an especially brutal way;

Whereas stoning is practiced particularly on girls and women accused of adultery;

Whereas the United States Commission on International Religious Freedom has condemned the death of Aisha Ibrahim Duhulow and called on the United States Government to join other states in speaking out decisively in international fora against such grave human rights abuses; and

Whereas the United States Government continues to support the efforts of those working to transform the troubled region of Somalia through commitment to sound human rights practices, democratic and representative government, economic recovery, and lasting peace and reconciliation: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the tragic and senseless death by stoning of Aisha Ibrahim Duhulow;

(2) urges the international community to join the Senate in speaking out against this brutal act; and

(3) urges the Transitional Federal Government of Somalia—

(A) to undertake robust efforts to protect women and children and to prevent acts of institutionalized violence against women in Somalia;

(B) to work to strengthen the rule of law as part of the effort by the Transitional Federal Government of Somalia to establish its authority;

(C) to promote equal and fair treatment of women; and

(D) to end the culture of impunity in Somalia.

SENATE RESOLUTION 712—CON- GRATULATING THE PHILADEL- PHIA PHILLIES ON WINNING THE 2008 WORLD SERIES

MR. SPECTER (for himself, Mr. CASEY, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. BUNNING) submitted the following resolution; which was considered and agreed to:

S. RES. 712

Whereas, on October 29, 2008, the Philadelphia Phillies defeated the Tampa Bay Rays to win the 2008 World Series;

Whereas the 4 to 3 Phillies victory in Game 5 of the Fall Classic secured for Philadelphia

a World Series title for the first time since 1980, and for the second time in team history;

Whereas the Tampa Bay Rays deserve congratulations for a stellar 2008 season, in which, after 10 consecutive losing seasons, they posted a regular season record of 97–65 and won the American League Championship Series;

Whereas Tampa Bay Rays Manager and Hazelton, Pennsylvania-native Joe Maddon established himself as among the premier managers in Major League Baseball during the 2008 season, and aptly was named American League Manager of the Year;

Whereas Philadelphia sports fans have consistently demonstrated their love for, and devotion to, Philadelphia teams, even after 25 years without winning a major sports championship;

Whereas, since taking the helm as manager in 2005, Phillies Manager Charlie Manuel has guided the young Phillies team to become the best in Major League Baseball;

Whereas recently-retired General Manager Pat Gillick, who joined the Phillies in 2006, played an integral role in assembling the World Series-winning team;

Whereas 24-year old pitcher Cole Hamels was named the Most Valuable Player for both the National League Championship Series and the World Series, with a 4–0 record and 1.80 Earned Run Average in the post-season;

Whereas starting pitchers Cole Hamels, Brett Myers, Joe Blanton, and Souderton, Pennsylvania-native Jamie Moyer delivered outstanding performances throughout the post-season;

Whereas the Phillies' bullpen distinguished itself as among the greatest in Major League Baseball, particularly closer Brad Lidge, who finished the 2008 season with 48 out of 48 save opportunities, including the final game of the World Series;

Whereas the Phillies were led by a talented and tough group of players including: 2006 MVP Ryan Howard; All-Star Chase Utley; 2007 MVP and 2007 and 2008 Gold Glove winner Jimmy Rollins; third baseman Pedro Feliz; veteran outfielder Pat Burrell; 2008 Gold Glove winner, the "Flyin' Hawaiian", Shane Victorino; outfielder Jayson Werth; and catcher Carlos Ruiz;

Whereas numerous reserve players made significant contributions to the Phillies' World Series title run, including Geoff Jenkins, Chris Coste, Eric Bruntlett, Greg Dobbs, and Matt Stairs; and

Whereas more than 1,000,000 fans packed the streets of Philadelphia on October 31, 2008 for a parade along Market and Broad Streets ending at Citizens Bank Park;

Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Philadelphia Phillies for winning the 2008 World Series;

(B) the Phillies manager, coaches, and support staff, whose commitment to the Phillies franchise has sustained this proud organization and allowed the team to reach the pinnacle of success in 2008;

(C) all Phillies fans, whose tenacity, perseverance, and enthusiasm are matched only by that of the team to which the fans are dedicated; and

(D) the Tampa Bay Rays on an outstanding 2008 season; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Phillies manager Charlie Manuel;

(B) Phillies general manager Ruben Amaro, Jr.;

(E) Phillies advisor Pat Gillick.