

the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3061

At the request of Mr. BIDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3061, a bill to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 3093

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 3093, a bill to extend and improve the effectiveness of the employment eligibility confirmation program.

S. 3134

At the request of Mr. NELSON of Florida, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3134, a bill to amend the Commodity Exchange Act to require energy commodities to be traded only on regulated markets, and for other purposes.

S. 3141

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 3141, a bill to provide for non-discrimination by eligible lenders in the Federal Family Education Loan Program.

S. 3143

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3143, a bill to assist law enforcement agencies in locating, arresting, and prosecuting fugitives from justice.

S. 3166

At the request of Mr. SESSIONS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 3166, a bill to amend the Immigration and Nationality Act to impose criminal penalties on individuals who assist aliens who have engaged in genocide, torture, or extrajudicial killings to enter the United States.

S. 3167

At the request of Mr. BURR, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 3167, a bill to amend title 38, United States Code, to clarify the conditions under which veterans, their surviving spouses, and their children may be treated as adjudicated mentally incompetent for certain purposes.

S. 3170

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3170, a bill to amend the Energy Policy and Conservation Act to modify the conditions for the release of products from the Northeast Home

Heating Oil Reserve Account, and for other purposes.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

AMENDMENT NO. 4995

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of amendment No. 4995 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

AMENDMENT NO. 5005

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 5005 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

AMENDMENT NO. 5020

At the request of Mr. ENSIGN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 5020 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER:

S. 3190. A bill to amend the Internal Revenue Code of 1986 to require employers to notify their employees of the availability of the earned income credit; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I am pleased to introduce today, along with my colleague from the House, Rep. RAHM EMANUEL, an important and non-controversial bill designed to increase the percentage of eligible families that claim the Earned Income Tax Credit, or EITC, every year.

The bill is endorsed by the Service Employees International Union, SEIU, Wal-Mart, the Center on Budget and Policy Priorities, the Citizens for Tax Justice, the Leadership Conference on Civil Rights, Corporate Voices for Working Families, the College and University Professional Association for Human Resources, TJ Maxx, Kindred Healthcare, and Cintas.

Even in these tough economic times, Wal-Mart is still the nation's top private employer, and they place a huge emphasis on keeping their business costs low. If they are taking such a lead role on this bill, it should send a strong signal to the business community and to Republicans that it is a good idea and that the cost burden on business is next to nothing.

The EITC is a hugely important and popular program for working families. Started under President Ford after President Nixon advanced a similar

program, and expanded under virtually every President since, the EITC sends a message that if you work hard and play by the rules, you shouldn't live in poverty.

I know the program isn't perfect, but it's the best tax tool we have for helping working families make ends meet. Combined with the recent increase in the minimum wage that Democrats pushed through the Congress, the EITC is improving the lives of million of families.

For tax year 2006, more than \$44 billion in benefits were distributed to more than 22.4 million American families. That shows what a success the program is.

As one of the most populous states, with millions of working families of modest means, the numbers for New York State by itself are impressive. In 2006, nearly 1.5 million New York families took advantage of the EITC, claiming \$2.8 billion in benefits. That's an average of \$1,867 per family. But if the estimates from the Government Accountability Office are right and 25 percent of eligible families do not file for the credit, that's almost 500,000 families in my state who are missing out.

At an average EITC benefit of nearly \$1,900, that means that more than \$900 million could be going back into the pockets of New Yorkers—without a single change in the law—if we could find a way to reach these families. It could represent a second stimulus package for 500,000 working families as large as the one we passed earlier this year—and all eligible families have to do is ask for it.

With gasoline costing over \$4 a gallon, and health care and tuition costs on the rise, if we can get an average of \$1,900 into the pockets of 500,000 New York families, or 7.5 million people nationally—that's an opportunity we can't pass up.

Since these families are eligible for the credit under current law, it's not a policy that has to be scored or "paid for" under the PAYGO rules, because current law assumes these benefits will be paid. I can't imagine anyone objecting to this bill.

The Emanuel/Schumer legislation simply requires that employers notify their workers of their potential eligibility for the EITC when they send out the annual W-2 wage notice. To satisfy the notice requirement, employers would provide either a copy of IRS Notice 797, which explains how one qualifies for the EITC, or a separate written notice that is described in the language of the bill.

For those that might be concerned about the cost to business, our bill exempts firms with less than 25 employees.

This is a bill that is such common-sense, and represents such little cost to business, and offers such a large potential benefit to so many families, that it's something that we ought to be able to pass unanimously before the end of the year.

Rep. EMANUEL and I sent a letter to Treasury Secretary Henry Paulson today about the bill. Even though the Bush Administration is nearing its end, the goals of this legislation could be accomplished via regulation or executive order, and I urge the Administration to take such action and render the bill moot. Rep. EMANUEL and I would be happy not to have to pass this bill. Otherwise, we will push it and hope to pass it with broad bipartisan support by year's end. With unions and major employers both supporting the bill, there really should be no objection.

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

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

S. 3190

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 "Earned Income Credit Information Act of 2008".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress hereby finds:

(1) President Gerald Ford and Congress created the earned income credit (EIC) in 1975 to offset the adverse effects of Social Security and Medicare payroll taxes on working poor families and to encourage low-income workers to seek employment rather than welfare.

(2) President Ronald Reagan described the earned income credit as "the best anti-poverty, the best pro-family, the best job-creation measure to come out of Congress."

(3) Over the last 30 years, the EIC program has grown into the largest Federal anti-poverty program in the United States. In 2005, 22.8 million tax filers received \$42.4 billion in tax credits through the EIC program.

(4) In 2007, the EIC provided a maximum Federal benefit of \$4,716 for families with 2 or more children, \$2,853 for families with a single child, and \$428 for a taxpayer with no qualifying children.

(5) Based on analysis conducted by the General Accountability Office, 25 percent of those eligible to receive the EIC do not take advantage of the tax benefit.

(6) Based on analysis conducted by the Joint Economic Committee, working Americans may have lost out on approximately \$8 billion in unclaimed earned income credits in 2004.

(7) In response to a study by the California Franchise Tax Board that found that there were approximately 460,000 California families that qualified, but did not file, for the EIC, Governor Arnold Schwarzenegger signed into law Assembly Bill 650, the Earned Income Tax Credit Information Act, on October 13, 2007. The law requires that California employers notify employees of their potential eligibility for the EIC.

(8) In order to ensure that tax benefits designed to assist working Americans reach the maximum number of people, the Federal Government should enact a similar law.

(b) PURPOSE.—The purpose of this Act is to inform the greatest possible number of Americans about their potential eligibility for the earned income credit in a way that is neither costly nor burdensome for employers or the Government.

SEC. 3. EMPLOYER NOTIFICATION OF AVAILABILITY OF EARNED INCOME CREDIT.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

"SEC. 7529. EMPLOYER NOTIFICATION OF AVAILABILITY OF EARNED INCOME CREDIT."

"(a) IN GENERAL.—Every employer required to provide a statement under section 6051 (relating to W-2 statements) to a potential EIC-eligible employee shall provide to such employee the notice described in subsection (c).

"(b) POTENTIAL EIC-ELIGIBLE EMPLOYEE.—For purposes of this section, the term 'potential EIC-eligible employee' means any individual whose annual wages from the employer are less than the amount of earned income (as defined in section 32(c)(2)) at which the credit under section 32(a) phases out for an individual described in section 32(c)(1)(A)(ii) (or such other amount as may be prescribed by the Secretary).

"(c) CONTENTS OF NOTICE.—

"(1) IN GENERAL.—The notice required by subsection (a) shall be—

"(A) a copy of Internal Revenue Service Notice 797 or any successor notice, or

"(B) a notice stating: 'Based on your annual earnings, you may be eligible to receive the earned income credit from the Federal Government. The earned income credit is a tax credit for certain working individuals and families. In 2008, earned income credit benefits are available for taxpayers with earnings up to \$38,646 (\$41,646 if married filing jointly). Eligibility and benefit amounts vary according to filing status (single or married), number of qualifying children, and other sources of income. For example, in 2008, earned income credit benefits are available for childless taxpayers earning less than \$15,880, taxpayers with 1 child earning less than \$36,995, and taxpayers with 2 or more children earning less than \$41,646. In most cases, earned income credit payments will not be used to determine eligibility for Medicaid, supplemental security income, food stamps, low-income housing or most temporary assistance for needy families programs. Even if you do not owe Federal taxes, you may qualify, but must file a tax return to receive the earned income credit. For information regarding your eligibility to receive the earned income credit, contact the Internal Revenue Service by calling 1-800-829-1040 or through its web site at www.irs.gov. The Volunteer Income Tax Assistance (VITA) program provides free tax preparation assistance to individuals under the above income limits. Call the IRS at 1-800-906-9887 to find sites in your area.'

"(2) YEARS AFTER 2008.—In the case of the notice in paragraph (1)(B) for taxable years beginning in a calendar year after 2008—

"(A) such calendar year shall be substituted for '2008';

"(B) the lowest amount of earned income for a taxpayer with no qualifying children at which the credit phases out under section 32(a)(2)(B) for taxable years beginning in such calendar year shall be substituted for '\$15,880';

"(C) the lowest amount of earned income for a taxpayer with 1 qualifying child at which the credit phases out under section 32(a)(2)(B) for such taxable years shall be substituted for '\$36,995'; and

"(D) the lowest amount of earned income for a taxpayer with 2 or more qualifying children at which the credit phases out under section 32(a)(2)(B) for such taxable years shall be substituted for '\$41,646'.

"(d) EXEMPTION FOR SMALL EMPLOYERS.—

"(1) IN GENERAL.—An employer shall not be required to provide notices under this sec-

tion during any calendar year if the employer employed an average of 25 or fewer employees on business days during the preceding calendar year. For purposes of the preceding sentence, a preceding calendar year may be taken into account only if the employer was in existence throughout such year.

"(2) EMPLOYERS NOT IN EXISTENCE IN PRECEDING YEAR.—In the case of an employer which was not in existence throughout the preceding calendar year, the determination under paragraph (1) shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the current calendar year.

"(3) SPECIAL RULES.—

"(A) CONTROLLED GROUPS.—For purposes of this subsection, all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as 1 employer.

"(B) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

"(e) TIMING OF NOTICE.—The notice required by subsection (a) shall be provided to each employee at the same time the employer statement is furnished to each such employee under section 6051.

"(f) MANNER OF PROVIDING NOTICE.—The notice required by subsection (a) shall be provided either by hand or by mail to the address used to provide the statement under section 6051 to the employee."

(b) PENALTY FOR FAILURE TO PROVIDE NOTICE.—Section 6724(d)(2) of such Code is amended by striking "or" at the end of subparagraph (BB), by striking the period at the end of subparagraph (CC) and inserting "or", and by inserting after subparagraph (CC) the following new subparagraph:

"(DD) section 7529 (relating to employer notification of availability of earned income credit)."

(c) CLERICAL AMENDMENT.—The table of sections for such chapter 77 is amended by adding at the end the following new item:

"Sec. 7529. Employer notification of availability of earned income credit."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to statements required to be provided under section 6051 of the Internal Revenue Code of 1986 more than 180 days after the date of the enactment of this Act.

JUNE 25, 2008.

Hon. HENRY PAULSON,
Secretary, Department of the Treasury, Washington, DC.

DEAR SECRETARY PAULSON: Over the last 30 years, the Earned Income Tax Credit (EITC) has grown into the largest Federal anti-poverty program in the United States. In 2006, over 22 million taxpayers received almost \$44 billion through the EITC. During its history, the program has been supported by both Democrats and Republicans. President Ronald Reagan described the earned income credit as "the best anti-poverty, the best pro-family, the best job-creation measure to come out of Congress."

As you know, millions of eligible Americans fail to take advantage of this critical program, costing themselves billions in tax benefits. Based on an analysis conducted by the General Accountability Office, 25 percent of those eligible to receive the EITC do not take advantage of it. The Internal Revenue Service (IRS) estimates that between 20 and 25 percent of taxpayers who are eligible don't claim the credit. While this issue has been a persistent source of concern, it is particularly troubling now when Americans are contending with record high gas prices and surging costs for other consumer goods.

On October 13, 2007, Governor Arnold Schwarzenegger signed into law Assembly Bill 650, the Earned Income Tax Credit Information Act. The legislation seeks to reduce the number of eligible taxpayers who fail to take advantage of the EITC by requiring California employers to notify their employees of their potential eligibility for the EITC. We believe that the California law should serve as a model for federal action, and will shortly introduce legislation to accomplish this goal.

We bring this to your attention because we believe that the goal of increasing awareness of the EITC, and thus expanding the number of taxpayers who access it, can also be accomplished through administrative rule-making.

Earlier in the year, you played a critical role in providing needed economic stimulus to working Americans that is now helping to soften the brunt of our current economic downturn. By increasing the number of eligible taxpayers who take advantage of the EITC program, you can build on this accomplishment and add further stimulus by providing, in some cases, thousands of dollars of assistance that can be used to buy gas or groceries, or pay the mortgage.

For this reason, we ask you to explore what the Administration can do to improve EITC outreach efforts, and specifically ask that you examine the possibility of requiring employers to provide information to their employees about the EITC at the same time that they provide W-2 statements. Earlier this year, at an EITC Awareness Day event, you noted: "Ensuring that more eligible families receive their EITC is important this year, as it is every year. I encourage people all across America to check to see if you are eligible for the Earned Income Credit." We couldn't agree more, but believe we should also look to employers to help taxpayers take advantage of critical federal tax programs like the EITC.

Finally, we are aware that the Administration instructed federal agencies on May 9, 2008 to not undertake any new rulemaking procedures after June 1, 2008. We sincerely hope that this policy will not prevent the Administration from helping hardworking Americans who need it the most.

We look forward to your response and thank you for your consideration.

Sincerely,

RAHM EMANUEL,
House Democratic
Caucus Chair.

CHARLES SCHUMER,
Senate Democratic
Caucus Vice-Chair.

By Ms. SNOWE (for herself, Mr. NELSON of Florida, Ms. CANTWELL, Mr. KERRY, Mr. VITTER, Mr. LEVIN, Mr. VOINOVICH, Mrs. BOXER, Mr. CARDIN, and Ms. MIKULSKI):

S. 3191. A bill to develop and promote a comprehensive plan for a national strategy to address harmful algal blooms and hypoxia through baseline research, forecasting and monitoring, and mitigation and control while helping communities detect, control, and mitigate coastal and Great Lakes harmful algal blooms and hypoxia events; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce the Harmful Algal Bloom and Hypoxia Amendments Act of 2008. This bill would enhance the research programs established in the

Harmful Algal Blooms and Hypoxia Research and Control Act of 1998 and reauthorized in 2004, which have greatly enhanced our ability to predict outbreaks of harmful algal blooms and the extent of hypoxic zones. But knowing when outbreaks will occur is only half the battle. By funding additional research into mitigation and prevention of HABs and hypoxia, and by enabling communities to develop response strategies to more effectively reduce their effects on our coastal communities, this legislation would take the next critical steps to reducing the social and economic impacts of these potentially disastrous outbreaks.

I am proud to continue my leadership on this important issue and I particularly want to thank my counterpart on this key piece of legislation, Senator BILL NELSON. My partnership with Senator BREAUX on the first two harmful algal bloom bills proved extremely fruitful, and I am pleased that the Gulf of Mexico—whose coastal residents are severely impacted by both harmful algal blooms, also known as HABs, and hypoxia—will continue to be so well represented as this program moves into the future. I also want to thank the bill's additional co-sponsors, Senators CANTWELL, KERRY, VITTER, VOINOVICH, BOXER and LEVIN for their vital contributions. We all represent coastal States directly affected by harmful algal blooms and hypoxia, and we see first hand the ecological and economic damage caused by these events.

In New England blooms of Alexandrium algae, more commonly known as "red tide", can cause shellfish to accumulate toxins that when consumed by humans lead to paralytic shellfish poisoning (PSP), a potentially fatal neurological disorder. Therefore, when levels of Alexandrium reach dangerous levels, our fishery managers are forced to close shellfish beds that provide hundreds of jobs and add millions of dollars to our regional economy. Red tide outbreaks—which occur in various forms not just in the northeast, but along thousands of miles of U.S. coastline—have increased dramatically in the Gulf of Maine in the last 20 years, with major blooms occurring almost every year.

In 2005, the most severe red tide since 1972 blanketed the New England coast from Martha's Vineyard to Downeast Maine, resulting in extensive commercial and recreational shellfish harvesting closures lasting several months at the peak of the seafood harvesting season. In a peer-reviewed study, economists found that the 2005 event caused over \$2.4 million in lost landings of shellfish in the State of Maine alone, and more than \$10 million throughout New England.

In May of this year, scientists once more predicted an abundance of Alexandrium off the New England coast, marking the onset of yet another severe harmful algal bloom in the area. Just yesterday, Maine's Department of Marine Resources an-

nounced the closure of additional shellfish beds covering many areas from Cutler east to the Canadian border, and today the Food and Drug Administration asked the National Marine Fisheries Service to issue a closure of a section of Federal waters near George's Bank to the harvest of ocean quahogs and surf clams.

Still, while this year's bloom has tracked the pattern of the 2005 event, thanks to previous investments in HAB programs, localized testing has led to fewer closures. Unlike 2005 when nearly the entire coast of Massachusetts and much of Maine was declared off-limits to shell fishermen, in this year's bloom, some unaffected areas remain open despite being directly adjacent to contaminated beds. These detailed forecasting and testing measures will greatly reduce the economic impact such outbreaks impose on our coastal communities, and is directly attributable to the efforts authorized in previous HAB legislation.

Mr. President, while we have made great strides in bloom prediction and monitoring, it is clear that these problems have not gone away, but rather increased in magnitude. Harmful algal blooms remain prevalent nationwide, and areas of hypoxia, also known as "dead zones", are now occurring with increasing frequency. Within a dead zone, oxygen levels plummet to the point at which they can no longer sustain life, driving out animals that can move, and killing those that cannot. The most infamous dead zone occurs annually in the Gulf of Mexico, off the shores of Louisiana. In 2007, researchers there predicted the biggest hypoxic zone ever recorded, covering more than 8,500 square miles. Dead zones are also occurring with increasing frequency in more areas than ever before, including off the coasts of Oregon and Texas.

The amendments contained in this legislation would enhance the Nation's ability to predict, monitor, and ultimately control harmful algal blooms and hypoxia. Understanding when these blooms will occur is vital, but the time has come to take this program to the next level—to determine not just when an outbreak will occur, but how to reduce its intensity or prevent its occurrence all together. This bill would build on NOAA's successes in research and forecasting by creating a program to mitigate and control HAB outbreaks.

This bill also recognizes the need to enhance coordination among State and local resource managers—those on the front lines who must make the decisions to close beaches or shellfish beds. Their decisions are critical to protecting human health, but can also impose significant economic impacts. The bill would mandate creation of Regional Research and Action Plans that would identify baseline research, possible State and local government actions to prepare for and mitigate the impacts of HABs, and establish outreach strategies to ensure the public is

informed of the dangers these events can present. A regional focus on these issues will ensure a more effective and efficient response to future events.

Mr. President, if enacted, this critical reauthorization would greatly enhance our Nation's ability to predict, monitor, mitigate, and control outbreaks of HABs and hypoxia. Over half the U.S. population resides in coastal regions, and we must do all in our power to safeguard their health and the health of the marine environment. The existing Harmful Algal Bloom and Hypoxia Program has done a laudable job to date, and this authorization will allow them to expand their scope and provide greater benefits to the Nation as a whole. I thank my cosponsors again for their efforts in developing this vital legislation.

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. 3191

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Harmful Algal Blooms and Hypoxia Amendments Act of 2008”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Amendment of Harmful Algal Bloom and Hypoxia Research and Control Act of 1998.
- Sec. 3. Findings.
- Sec. 4. Purpose.
- Sec. 5. Interagency task force on harmful algal blooms and hypoxia.
- Sec. 6. National harmful algal bloom and hypoxia program.
- Sec. 7. Regional research and action plans.
- Sec. 8. Reporting.
- Sec. 9. Pilot program for freshwater harmful algal blooms and hypoxia.
- Sec. 10. Interagency financing.
- Sec. 11. Application with other laws.
- Sec. 12. Definitions.
- Sec. 13. Authorization of appropriations.

SEC. 2. AMENDMENT OF HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND CONTROL ACT OF 1998.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note).

SEC. 3. FINDINGS.

Section 602 is amended—

(1) by striking paragraph (8) and inserting the following:

“(8) harmful algal blooms and hypoxia can be triggered and exacerbated by increases in nutrient loading from point and non-point sources, much of which originates in upland areas and is delivered to marine and freshwater bodies via river discharge, thereby requiring integrated and landscape-level research and control strategies;”;

(2) by striking “and” after the semicolon in paragraph (11);

(3) by striking “hypoxia.” in paragraph (12) and inserting “hypoxia;”;

(4) by adding at the end thereof the following:

“(13) harmful algal blooms and hypoxia affect many sectors of the coastal economy, including tourism, public health, and recreational and commercial fisheries; and according to a recent report produced by NOAA, the United States seafood and tourism industries suffer annual losses of \$82 million due to economic impacts of harmful algal blooms;”

“(14) global climate change and its effect on oceans and the Great Lakes may ultimately play a role in the increase or decrease of harmful algal bloom and hypoxic events;”

“(15) proliferations of harmful and nuisance algae can occur in all United States waters, including coastal areas and estuaries, the Great Lakes, and inland waterways, crossing political boundaries and necessitating regional coordination for research, monitoring, mitigation, response, and prevention efforts; and

“(16) following passage of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, Federally-funded and other research has led to several technological advances, including remote sensing, molecular and optical tools, satellite imagery, and coastal and ocean observing systems, that provide data for forecast models, improve the monitoring and prediction of these events, and provide essential decision making tools for managers and stakeholders.”.

SEC. 4. PURPOSE.

The Act is amended by inserting after section 602 the following:

“SEC. 602A. PURPOSES.

“The purposes of this Act are—

“(1) to provide for the development and coordination of a comprehensive and integrated national program to address harmful algal blooms, hypoxia, and nuisance algae through baseline research, monitoring, prevention, mitigation, and control;”

“(2) to provide for the assessment and consideration of regional and national ecosystem, socio-economic, and human health impacts of harmful and nuisance algal blooms and hypoxia, and integration of that assessment into marine and freshwater resource decisions; and

“(3) to facilitate regional, State, and local efforts to develop and implement appropriate harmful algal bloom and hypoxia event response plans, strategies, and tools including outreach programs and information dissemination mechanisms.”.

SEC. 5. INTERAGENCY TASK FORCE ON HARMFUL ALGAL BLOOMS AND HYPOXIA.

(a) **FEDERAL REPRESENTATIVES.**—Section 603(a) is amended—

(1) by striking “The Task Force shall consist of the following representatives from—” and inserting “The Task Force shall consist of representatives of the Office of the Secretary from each of the following departments and of the office of the head of each of the following Federal agencies;”;

(2) by striking “the” in paragraphs (1) through (11) and inserting “The”;

(3) by striking the semicolon in paragraphs (1) through (10) and inserting a period.

(4) by striking “Quality; and” in paragraph (11) and inserting “Quality.”;

(5) by striking “such other” in paragraph (12) and inserting “Other”.

(b) **STATE REPRESENTATIVES.**—Section 603 is amended—

(1) by redesignating subsections (b) through (i) as subsections (c) through (j), respectively;

(2) by inserting after subsection (a) the following:

“(b) **STATE REPRESENTATIVES.**—The Secretary shall establish criteria for determining appropriate States to serve on the Task Force and establish and implement a

nomination process to select representatives from 2 appropriate States in different regions, on a rotating basis, to serve 2-year terms on the Task Force.”;

(3) in subsection (h), as redesignated—

(A) by striking “Not less than once every 5 years the” in paragraph (1) and inserting “The”;

(B) by striking “The first such” in paragraph (1) and inserting “The”;

(C) by striking “assessments” in paragraph (2) and inserting “assessment”;

(4) in subsection (i), as redesignated—

(A) by striking “Not less than once every 5 years the” in paragraph (1) and inserting “The”;

(B) by striking “The first such” in paragraph (1) and inserting “The”;

(C) by striking “All subsequent assessments” in paragraph (1) and inserting “The assessment”;

(D) by striking “assessments” in paragraph (2) and inserting “assessment”.

SEC. 6. NATIONAL HARMFUL ALGAL BLOOM AND HYPOXIA PROGRAM.

The Act is amended by inserting after section 603 the following:

“SEC. 603A. NATIONAL HARMFUL ALGAL BLOOM AND HYPOXIA PROGRAM.

“(a) **ESTABLISHMENT.**—The President, acting through NOAA, shall establish and maintain a national program for integrating efforts to address harmful algal bloom and hypoxia research, monitoring, prediction, control, mitigation, prevention, and outreach.

“(b) **TASK FORCE FUNCTIONS.**—The Task Force shall be the oversight body for the development and implementation of the national harmful algal bloom and hypoxia program and shall—

“(1) coordinate interagency review of plans and policies of the Program;

“(2) assess interagency work and spending plans for implementing the activities of the Program;

“(3) assess the Program’s distribution of Federal grants and funding to address research priorities;

“(4) support implementation of the actions and strategies identified in the regional research and action plans under subsection (d);

“(5) support the development of institutional mechanisms and financial instruments to further the goals of the program;

“(6) expedite the interagency review process and ensure timely review and dispersal of required reports and assessments under this Act; and

“(7) promote the development of new technologies for predicting, monitoring, and mitigating harmful algal blooms and hypoxia conditions.

“(c) **LEAD FEDERAL AGENCY.**—NOAA shall be the lead Federal agency for implementing and administering the National Harmful Algal Bloom and Hypoxia Program.

“(d) **RESPONSIBILITIES.**—The Program shall—

“(1) promote a national strategy to help communities understand, detect, predict, control, and mitigate freshwater and marine harmful algal bloom and hypoxia events;

“(2) plan, coordinate, and implement the National Harmful Algal Bloom and Hypoxia Program; and

“(3) report to the Task Force via the Administrator.

“(e) **DUTIES.**—

“(1) **ADMINISTRATIVE DUTIES.**—The Program shall—

“(A) prepare work and spending plans for implementing the activities of the Program and developing and implementing the Regional Research and Action Plans and coordinate the preparation of related work and spending plans for the activities of other participating Federal agencies;

“(B) administer merit-based, competitive grant funding to support the projects maintained and established by the Program, and to address the research and management needs and priorities identified in the Regional Research and Action Plans;

“(C) coordinate NOAA programs that address harmful algal blooms and hypoxia and other ocean and Great Lakes science and management programs and centers that address the chemical, biological, and physical components of harmful algal blooms and hypoxia;

“(D) coordinate and work cooperatively with other Federal, State, and local government agencies and programs that address harmful algal blooms and hypoxia;

“(E) coordinate with the State Department to support international efforts on harmful algal bloom and hypoxia information sharing, research, mitigation, and control.”

“(F) coordinate an outreach, education, and training program that integrates and augments existing programs to improve public education about and awareness of the causes, impacts, and mitigation efforts for harmful algal blooms and hypoxia;

“(G) facilitate and provide resources for training of State and local coastal and water resource managers in the methods and technologies for monitoring, controlling, and mitigating harmful algal blooms and hypoxia;

“(H) support regional efforts to control and mitigate outbreaks through—

“(i) communication of the contents of the Regional Research and Action Plans and maintenance of online data portals for other information about harmful algal blooms and hypoxia to State and local stakeholders within the region for which each plan is developed; and

“(ii) overseeing the development, review, and periodic updating of Regional Research and Action Plans established under section 603B;

“(I) convene an annual meeting of the Task Force; and

“(J) perform such other tasks as may be delegated by the Task Force.

“(2) PROGRAM DUTIES.—The Program shall—

“(A) maintain and enhance—

“(i) the Ecology and Oceanography of Harmful Algal Blooms Program;

“(ii) the Monitoring and Event Response for Harmful Algal Blooms Program;

“(iii) the Northern Gulf of Mexico Ecosystems and Hypoxia Assessment Program; and

“(iv) the Coastal Hypoxia Research Program;

“(B) establish—

“(i) a Mitigation and Control of Harmful Algal Blooms Program—

“(I) to develop and promote strategies for the prevention, mitigation, and control of harmful algal blooms; and

“(II) to fund research that may facilitate the prevention, mitigation, and control of harmful algal blooms; and

“(III) to develop and demonstrate technology that may mitigate and control harmful algal blooms; and

“(ii) other programs as necessary; and

“(C) work cooperatively with other offices, centers, and programs within NOAA and other agencies represented on the Task Force, States, and nongovernmental organizations concerned with marine and aquatic issues to manage data, products, and infrastructure, including—

“(i) compiling, managing, and archiving data from relevant programs in Task Force member agencies;

“(ii) creating data portals for general education and data dissemination on centralized, publicly available databases; and

“(iii) establishing communication routes for data, predictions, and management tools both to and from the regions, states, and local communities.”

SEC. 7. REGIONAL RESEARCH AND ACTION PLANS.

The Act, as amended by section 6, is amended by inserting after section 603A the following:

“SEC. 603B. REGIONAL RESEARCH AND ACTION PLANS.

“(a) IN GENERAL.—The Program shall—

“(1) oversee the development and implementation of Regional Research and Action Plans; and

“(2) identify appropriate regions and subregions to be addressed by each Regional Research and Action Plan.

“(b) REGIONAL PANELS OF EXPERTS.—As soon as practicable after the date of enactment of the Harmful Algal Blooms and Hypoxia Amendments Act of 2008, and every 5 years thereafter, the Program shall convene a panel of experts for each region identified under subsection (a)(2) from among—

“(1) State coastal management and planning officials;

“(2) water management and watershed officials from both coastal states and noncoastal states with water sources that drain into water bodies affected by harmful algal blooms and hypoxia;

“(3) public health officials;

“(4) emergency management officials;

“(5) nongovernmental organizations concerned with marine and aquatic issues;

“(6) science and technology development institutions;

“(7) economists;

“(8) industries and businesses affected by coastal and freshwater harmful algal blooms and hypoxia;

“(9) scientists, with expertise concerning harmful algal blooms or hypoxia, from academic or research institutions; and

“(10) other stakeholders as appropriate.

“(c) PLAN DEVELOPMENT.—Each regional panel of experts shall develop a Regional Research and Action Plan for its respective region and submit it to the Program for approval and to the Task Force. The Plan shall identify appropriate elements for the region, including—

“(1) baseline ecological, social, and economic research needed to understand the biological, physical, and chemical conditions that cause, exacerbate, and result from harmful algal blooms and hypoxia;

“(2) regional priorities for ecological and socio-economic research on issues related to, and impacts of, harmful algal blooms and hypoxia;

“(3) research needed to develop and advance technologies for improving capabilities to predict, monitor, prevent, control, and mitigate harmful algal blooms and hypoxia;

“(4) State and local government actions that may be implemented—

“(A) to support long-term monitoring efforts and emergency monitoring as needed;

“(B) to minimize the occurrence of harmful algal blooms and hypoxia;

“(C) to reduce the duration and intensity of harmful algal blooms and hypoxia in times of emergency;

“(D) to address human health dimensions of harmful algal blooms and hypoxia; and

“(E) to identify and protect vulnerable ecosystems that could be, or have been, affected by harmful algal blooms and hypoxia;

“(5) mechanisms by which data and products are transferred between the Program and State and local governments and research entities;

“(6) communication, outreach and information dissemination efforts that State and

local governments and nongovernmental organizations can undertake to educate and inform the public concerning harmful algal blooms and hypoxia and alternative coastal resource-utilization opportunities that are available; and

“(7) pilot projects, if appropriate, that may be implemented on local, State, and regional scales to address the research priorities and response actions identified in the Plan.

“(d) PLAN TIMELINES; UPDATES.—The Program shall ensure that—

“(1) not less than 50 percent of the Regional Research and Action Plans developed under this section are completed and approved by the Program within 12 months after the date of enactment of the Harmful Algal Blooms and Hypoxia Amendments Act of 2008;

“(2) the remaining Regional Research and Action Plans are completed and approved by the Program within 24 months after such date of enactment; and

“(3) each Regional Research and Action Plan is updated no less frequently than once every 5 years.

“(e) FUNDING.—

“(1) IN GENERAL.—Subject to available appropriations, the Program shall make funding available to eligible organizations to implement the research, monitoring, forecasting, modeling, and response actions included under each approved Regional Research and Action Plan. The Program shall select recipients through a merit-based, competitive process and seek to fund research proposals that most effectively align with the research priorities identified in the relevant Regional Research and Action Plan.

“(2) APPLICATION; ASSURANCES.—Any organization seeking funding under this subsection shall submit an application to the Program at such time, in such form and manner, and containing such information and assurances as the Program may require. The Program shall require any organization receiving funds under this subsection to utilize the mechanisms described in subsection (c)(5) to ensure the transfer of data and products developed under the Plan.

“(3) ELIGIBLE ORGANIZATION.—In this subsection, the term ‘eligible organization’ means—

“(A) a nongovernmental researcher or organization; or

“(B) any other entity that applies for funding to implement the State, local, and nongovernmental control, mitigation, and prevention strategies identified in the relevant Regional Research and Action Plan.

“(f) EMERGENCY REVIEWS.—If the Program determines that an intermediate review is necessary to address emergent needs in harmful algal blooms and hypoxia under a Regional Research and Action Plan, it shall notify the Task Force and reconvene the relevant regional panel of experts for the purpose of revising the Regional Research and Action Plan so as to address the emergent threat or need.”

SEC. 8. REPORTING.

Section 603, as amended by section 5, is amended by adding at the end thereof the following:

“(k) BIENNIAL REPORTS.—The Program shall prepare biennial reports for the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committees on Science and Technology and on Natural Resources that describe—

“(1) activities, budgets, and progress on implementing the national harmful algal bloom and hypoxia program;

“(2) the proceedings of the annual Task Force meeting; and

“(3) the status, activities, and funding for implementation of the Regional Research

and Action Plans, including a description of research funded under the program and actions and outcomes of Plan response strategies carried out by States.

“(1) **QUINQUENNIAL REPORTS.**—

“(1) **HARMFUL ALGAL BLOOM AND HYPOXIA ASSESSMENTS.**—Not less than once every 5 years after the date of enactment of the Harmful Algal Blooms and Hypoxia Amendments Act of 2008, the Task Force shall prepare a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committees on Science and Technology and on Natural Resources that—

“(A) describes the state of knowledge on harmful algal blooms and hypoxia in marine and freshwater systems, including the causes and ecological consequences;

“(B) describes the social and economic impacts of harmful algal blooms and hypoxia and strategies for their minimization and mitigation;

“(C) describes the human health impacts of harmful algal blooms and hypoxia, including any gaps in existing research;

“(D) describes progress on developing technologies and advancing capabilities for monitoring, forecasting, modeling, control, mitigation, and prevention of harmful algal blooms and hypoxia and implementation of strategies for achieving these goals;

“(E) describes progress on, and techniques for, integrating landscape- and watershed-level water quality information into marine and freshwater harmful algal bloom and hypoxia prevention and mitigation strategies, including projects at the Federal and regional levels;

“(F) describes communication, outreach, and education efforts to raise public awareness of harmful algal blooms and hypoxia, their impacts, and the methods for mitigation and prevention;

“(G) includes recommendations for integrating and improving future national, regional, State, and local policies and strategies for preventing and mitigating the occurrence and impacts of harmful algal blooms and hypoxia; and

“(H) describes impacts of harmful algal blooms and hypoxia on coastal communities and a review of those communities' efforts and associated economic costs related to event forecasting, planning, mitigation, response, and public outreach and education.

“(2) **PUBLIC COMMENT.**—At least 90 days before submitting the report to Congress, the Secretary shall publish the draft report in the Federal Register for a comment period of not less than 60 days.”.

SEC. 9. PILOT PROGRAM FOR FRESHWATER HARMFUL ALGAL BLOOMS AND HYPOXIA.

The Act, as amended by section 7, is amended by inserting after section 603B the following:

“SEC. 603C. PILOT PROGRAM FOR FRESHWATER HARMFUL ALGAL BLOOMS AND HYPOXIA.

“(a) **PILOT PROGRAM.**—The Secretary shall establish a collaborative pilot program with the Environmental Protection Agency and other appropriate Federal agencies to examine harmful algal blooms and hypoxia occurring in freshwater systems. The pilot program shall—

“(1) be established in the Mississippi River Basin watershed;

“(2) assess the issues associated with, and impacts of, harmful algal blooms and hypoxia in freshwater ecosystems;

“(3) research the efficacy of mitigation measures, including measures to reduce nutrient loading; and

“(4) recommend potential management solutions.

“(b) **REPORT.**—The Secretary of Commerce, in consultation with other participating Federal agencies, shall conduct an assessment of the effectiveness of the pilot program in improving freshwater habitat quality and publish a report, available to the public, of the results of the assessment.”.

SEC. 10. INTERAGENCY FINANCING.

The Act is amended by inserting after section 604 the following:

“SEC. 604A. INTERAGENCY FINANCING.

“The departments and agencies represented on the Task Force are authorized to participate in interagency financing and share, transfer, receive, obligate, and expend funds appropriated to any member of the Task Force for the purposes of carrying out any administrative or programmatic project or activity under this Act, including support for the Program, a common infrastructure, information sharing, and system integration for harmful algal bloom and hypoxia research, monitoring, forecasting, prevention, and control. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Task Force member and the costs of the same.”.

SEC. 11. APPLICATION WITH OTHER LAWS.

The Act is amended by inserting after section 606 the following:

“SEC. 607. EFFECT ON OTHER FEDERAL AUTHORITY.

“Nothing in this title supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.”.

SEC. 12. DEFINITIONS.

(a) **IN GENERAL.**—The Act is amended by inserting after section 605 the following:

“SEC. 605A. DEFINITIONS.

“In this Act:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the NOAA.

“(2) **HARMFUL ALGAL BLOOM.**—The term ‘harmful algal bloom’ means marine and freshwater phytoplankton that proliferate to high concentrations, resulting in nuisance conditions or harmful impacts on marine and aquatic ecosystems, coastal communities, and human health through the production of toxic compounds or other biological, chemical, and physical impacts of the algae outbreak.

“(3) **HYPOXIA.**—The term ‘hypoxia’ means a condition where low dissolved oxygen in aquatic systems causes stress or death to resident organisms.

“(4) **NOAA.**—The term ‘NOAA’ means the National Oceanic and Atmospheric Administration.

“(5) **PROGRAM.**—The term ‘Program’ means the integrated harmful algal bloom and hypoxia program established under section 603B.

“(6) **REGIONAL RESEARCH AND ACTION PLAN.**—The term ‘Regional Research and Action Plan’ means a plan established under section 603B.

“(7) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Commerce, acting through NOAA.”.

“(8) **TASK FORCE.**—The term ‘Task Force’ means the Interagency Task Force established by section 603(a).

“(9) **UNITED STATES COASTAL WATERS.**—The term ‘United States coastal waters’ includes the Great Lakes.”.

(b) **CONFORMING AMENDMENT.**—Section 603(a) is amended by striking “Hypoxia (hereinafter referred to as the ‘Task force’).” and inserting “Hypoxia.”.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

Section 605 is amended to read as follows:—

“SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

“(a) **IN GENERAL.**—There are authorized to be appropriated to NOAA to implement the Program under this title—

“(1) \$30,000,000 for each of fiscal years 2009 and 2010; and

“(2) \$70,000,000 for each of fiscal years 2011, 2012, and 2013. The Secretary shall ensure that a substantial portion of funds appropriated pursuant to this subsection that are used for research purposes are allocated to extramural research activities.

“(b) **REGIONAL RESEARCH AND ACTION PLANS.**—In addition to any amounts appropriated pursuant to subsection (a), there are authorized to be appropriated to NOAA to develop and revise the Regional Research and Action Plans, \$40,000,000 for each of fiscal years 2009 and 2010, such sums to remain available until expended.

“(c) **PILOT PROGRAM.**—In addition to any amounts appropriated pursuant to subsection (a), there are authorized to be appropriated to NOAA such sums as may be necessary to carry out the pilot program established under section 603C.”.

Mr. NELSON of Florida. Mr. President, I rise today to introduce legislation that will address an ongoing problem that adversely affects local communities and coastal areas around my home State of Florida and across coastal States nationwide.

Today, Senator SNOWE and I, along with Senators CANTWELL, KERRY, VITTER, LEVIN, VOINOVICH, BOXER, CARDIN, and MIKULSKI, are introducing a bill that would reauthorize and enhance the Harmful Algal Bloom and Hypoxia Research and Control Act, HABHRCA, which was enacted in 1998 and reauthorized 4 years ago. This act has enabled critical monitoring, forecasting, and research activities that have greatly improved our understanding and prediction of harmful algal blooms, nuisance blooms like red drift, and low-oxygen or hypoxia events that plague our estuaries and coastal waters.

While the accomplishments made to date through HABHRCA are certainly valuable and to be commended, more work lies ahead. In Florida, harmful algal blooms, including red tides, and frequent red drift events continue to occur along our coasts.

According to experts from Mote Marine Laboratory in Sarasota, most of Florida's red tides are caused by a microscopic algae called *Karenia brevis*, which creates blooms that can last for months and cover hundreds of square miles. What makes this organism so harmful are the toxins it produces. These toxins can kill fish, birds, and other marine animals. For humans, the toxins trigger respiratory problems, eye and skin irritation, and shellfish poisoning when the toxins accumulate in oysters and clams. When these blooms die, the decomposing algae strip oxygen from the water column. These hypoxic conditions deprive fish, manatees, and other animal species of the oxygen they need to survive.

A particularly devastating and intense red tide struck the Florida gulf coast in the summer of 2005, causing widespread animal deaths and public health and economic problems. The St.

Petersburg/Clearwater Area Convention and Visitors Bureau estimated upwards of \$240 million in losses for the Tampa region as a result of this bloom.

Scientists have told us that red tides are a lot like hurricanes complex but natural phenomena that can have profound impacts on our environment and society. Although we may not be able to stop this natural process, we can do more to predict it and take actions to minimize its impacts on our citizens and natural resources.

While red drift algae lack the toxins associated with red tide, they can nonetheless cause enormous problems along Florida's beaches. We have had numerous red drift events in Florida over the last few years. In March 2007, some witnesses described clumps of red drift algae the size of hay bales floating on the surface of the Gulf of Mexico, and washing onshore from Fort Myers to Anna Maria Island. Scientists have also been looking into whether nutrients from the decomposing algae may feed subsequent blooms, keeping local waters in a terrible cycle.

Other algal blooms are impairing waterways and causing social and economic problems in my state. Earlier this month, a water treatment plant on the Caloosahatchee River in Lee County had to be closed temporarily due to a bloom of blue-green algae.

It is clear that harmful algal blooms and hypoxia events can have devastating impacts on water and air quality, aquatic species, wildlife, and beach conditions, which in turn affect public health, commercial and recreational fishing, tourism, and related businesses in our coastal communities. The question becomes, what can we do to stop this? If we can't stop these events, how can we better plan for them and take steps to minimize the impacts?

We have learned from scientists and researchers, many of whom were funded by HABHRCA-authorized programs, that some harmful algal blooms and red drift events can be triggered by excess nutrients from upland areas that wash into rivers and are delivered to the coast. Because this problem often crosses political and geographic boundaries, we must pursue solutions that are regional in nature and bring together expertise from all levels of government, from academia, and from other outside groups who have a stake in keeping our coastal waters healthy, clean, and productive.

Senator SNOWE and I have worked together to craft a bill that will not only continue critical research on harmful algal blooms and hypoxia, but help address some of these pressing needs that exist on every coast—from the Atlantic and Gulf of Mexico, to the Pacific and the Great Lakes. Our bill will help integrate and improve coordination among the government's programs that study and monitor these events. The bill would also improve how regional, state, and local needs are considered when prioritizing research grants and developing related products. Most im-

portantly, this bill would focus new resources on translating research results into tools and products that state and local governments can use to help prevent, respond to, and mitigate the impacts of these events.

Although we have made significant progress in identifying some of the causes and consequences of harmful algal blooms and hypoxia since 1998, much work remains to find solutions that minimize the occurrence of these events and that enable our coastal communities to become resilient to the impacts. This legislation to amend and reauthorize the Harmful Algal Blooms and Hypoxia Act represents an important step toward realizing those goals.

In closing, I would like to recognize Senator SNOWE for her leadership on this issue. As the sponsor of both the original legislation in 1998 and the 2004 amendments, her expertise on harmful algal blooms and the impacts of these events on her constituents has proved invaluable as we developed the measure before us today. I look forward to working with Senator SNOWE, in her role as ranking member of the Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee of the Commerce, Science, and Transportation Committee, as well as with Chairman CANTWELL and the other members of our subcommittee, to debate this important legislation.

BY Mr. DURBIN:

S. 3197. A bill to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, when our National Guard and Reserve members return from active duty, the last thing they should have to worry about is struggling to catch up on the bills. Sadly, acute financial challenges are often exactly what greet our bravest men and women when they come home.

For those families who are struggling to make ends meet after serving our country, today I am introducing a bill, the National Guard and Reservists Debt Relief Act, that would give these families a little breathing room. My bill would waive the means test for entering into Chapter 7 bankruptcy protection for National Guard and Reserve members who have served since September 11, 2001. The bill would give these families a little more time to reorganize their finances so that they can get their lives back in order after serving.

The 2005 Bankruptcy Abuse Prevention and Consumer Protection Act changed the U.S. bankruptcy code to make it significantly harder for individuals to receive protection from

their creditors via bankruptcy, by requiring filers to pass a means test based on an individual's income and expenses for the 6 month period preceding a bankruptcy filing.

My bill would exempt returning Guard and Reserve members from this means test, both because our finest men and women deserve greater financial protection and because they are uniquely disadvantaged by the means test criteria. Despite receiving much-deserved active duty pay for their service, National Guard and Reserve members often take a pay cut when they leave their jobs for a deployment. But because the means test includes the past 6 months of income in its calculation, men and women with little current income may not qualify for bankruptcy protection.

This is an issue that will become increasingly important in my home state of Illinois. The Illinois National Guard is preparing for the largest deployment of soldiers since World War II, with more than 2,700 currently training for deployment to Afghanistan. For the men and women in this group who find themselves in unfortunate financial circumstances when they return home, particularly if our economy continues to slow, this bill would help by allowing these men and women to file for bankruptcy if they desperately need that help.

I am pleased that the House version of this legislation, championed by my good friend Representative JAN SCHAKOWSKY, passed the House by voice vote earlier this week. I urge my Senate colleagues to support this bill just as strongly.

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 placed in the RECORD, as follows:

S. 3197

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 "National Guard and Reservists Debt Relief Act of 2008".

SEC. 2. AMENDMENTS.

Section 707(b)(2)(D) of title 11, United States Code, is amended—

- (1) in each of clauses (i) and (ii)—
 - (A) by indenting the left margins of such clauses 2 ems to the right; and
 - (B) by redesignating such clauses as subclauses (I) and (II), respectively;
- (2) by striking "if the debtor is a disabled veteran" and inserting the following:

"if—
 "(i) the debtor is a disabled veteran";
 (3) by striking the period at the end and inserting "; or"; and
 (4) by adding at the end the following:
 "(ii) while—
 "(I) the debtor is—
 "(aa) on, and during the 540-day period beginning immediately after the debtor is released from, a period of active duty (as defined in section 101(d)(1) of title 10) of not less than 90 days; or

“(bb) performing, and during the 540-day period beginning immediately after the debtor is no longer performing, a homeland defense activity (as defined in section 901(1) of title 32) performed for a period of not less than 90 days; and

“(II) if, after September 11, 2001, the debtor while a member of a reserve component of the Armed Forces or a member of the National Guard, was called to such active duty or performed such homeland defense activity.”.

SEC. 3. GAO STUDY.

(a) COMPTROLLER GENERAL STUDY.—Not later than 2 years after the effective date of this Act, the Comptroller General shall complete and transmit to the Speaker of the House of Representatives and the President pro tempore of the Senate, a study of the use and the effects of the provisions of law amended (and as amended) by this Act. Such study shall address, at a minimum—

(1) whether and to what degree members of reserve components of the Armed Forces and members of the National Guard avail themselves of the benefits of such provisions,

(2) whether and to what degree such members are debtors in cases under title 11 of the United States Code that are substantially related to service that qualifies such members for the benefits of such provisions,

(3) whether and to what degree such members are debtors in cases under such title that are materially related to such service, and

(4) the effects that the use by such members of section 707(b)(2)(D) of such title, as amended by this Act, has on the bankruptcy system, creditors, and the debt-incurrence practices of such members.

(b) FACTORS.—For purposes of subsection (a)—

(1) a case shall be considered to be substantially related to the service of a member of a reserve component of the Armed Forces or a member of the National Guard that qualifies such member for the benefits of the provisions of law amended (and as amended) by this Act if more than 33 percent of the aggregate amount of the debts in such case is incurred as a direct or indirect result of such service,

(2) a case shall be considered to be materially related to the service of a member of a reserve component of the Armed Forces or a member of the National Guard that qualifies such member for the benefits of such provisions if more than 10 percent of the aggregate amount of the debts in such case is incurred as a direct or indirect result of such service, and

(3) the term “effects” means—

(A) with respect to the bankruptcy system and creditors—

(i) the number of cases under title 11 of the United States Code in which members of reserve components of the Armed Forces and members of the National Guard avail themselves of the benefits of such provisions,

(ii) the aggregate amount of debt in such cases,

(iii) the aggregate amount of debt of such members discharged in cases under chapter 7 of such title,

(iv) the aggregate amount of debt of such members in cases under chapter 7 of such title as of the time such cases are converted to cases under chapter 13 of such title,

(v) the amount of resources expended by the bankruptcy courts and by the bankruptcy trustees, stated separately, in cases under title 11 of the United States Code in which such members avail themselves of the benefits of such provisions, and

(vi) whether and to what extent there is any indicia of abuse or potential abuse of such provisions, and

(B) with respect to debt-incurrence practices—

(i) any increase in the average levels of debt incurred by such members before, during, or after such service,

(ii) any indicia of changes in debt-incurrence practices adopted by such members in anticipation of benefitting from such provisions in any potential case under such title; and

(iii) any indicia of abuse or potential abuse of such provisions reflected in the debt-incurrence of such members.

SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect 60 days after the date of enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall apply only with respect to cases commenced under title 11 of the United States Code in the 3-year period beginning on the effective date of this Act.

BY Mr. SMITH (for himself and Mr. DODD):

S. 3195. A bill to provide assistance to adolescents and young adults with serious mental health disorders as they transition to adulthood; to the Committee on Health, Education, Labor, and Pensions. I

Mr. SMITH. Mr. President, I rise today with my colleague Senator DODD to introduce a bill that will have a tremendous impact on millions of young adults in America who will suffer from mental illness in their lifetime. The Healthy Transition Act of 2008 is an important bill and I look forward to its passage.

Senator DODD has been an ardent champion for children, and as the Sponsor of the Garrett Lee Smith Memorial Act in 2004 and the bill to reauthorize the successful grant program again last year, it has been an honor to work with him to ensure our Nation's youth and their mental health needs are not forgotten.

I want to begin by thanking my colleague Representative PETE STARK for working with me on this important issue and for joining me in requesting a report by the Government Accountability Office, GAO last year on the barriers facing youth with serious mental health disorders as they age into adulthood. It has been a pleasure to work with him on drafting legislation that we will introduce today as I know he shares a passion for improving the lives of our children and young adults.

This time in a young person's life is so difficult with the pressures of being independent, finding a first job, going to college and really discovering who you are. For so many of our Nation's youth this time is made so much more difficult by their struggle with mental illness. My son Garrett struggled with his transition to adulthood and in his ability to access the help he needed during this critical time. These young adults deserve our attention, our support and our compassion.

Finally, I want to thank the many stakeholders and advocates that have put so much time and dedication into

working with us to introduce this bill, the Healthy Transition Act of 2008. They include the National Alliance on Mental Illness, the Children's Defense Fund, the National Federation of Families for Children's Mental Health, the Bazelon Center for Mental Health Law, and the American Psychological Association, just to name a few.

The findings of the GAO report that Congressman STARK and I requested, tells us that at least 2.4 million young adults aged 18–26 had a mental illness in 2006. We know that this number could be greatly understated as it does not count young adults who are institutionalized, incarcerated or homeless—all of which are groups that are known to have higher rates of mental illness.

These young people have such tremendous challenges that cause them to demonstrate lower rates of high school graduation and college attendance than their peers who do not suffer from mental illness. They also have lower propensity to find employment and remain stable in their communities. In my home State of Oregon, this transition-age population was found to be 80 percent less likely than any other population in the State with mental health needs to receive services.

However, from this report, and the work innovative States are doing to support our young people, we know that we can do a better job of helping these youth. We can do better at ensuring they can remain stable in their communities, that they can live healthy lives, and that they can prosper as adults.

The bill that Senator DODD, Representative STARK and I are introducing today will support States that want to do better for our Nation's young adults with mental illness. As the GAO found, too often services are not directed at this population or young adults are shoved into a system that was designed for a different age group with different needs.

Our bill, the Healthy Transition Act of 2008, will provide grants to States to first develop statewide coordination plans to assist adolescents and young adults with a serious mental health disorder to acquire the skills and resources they need to make a healthy transition to adulthood. After this plan has been submitted and evaluated by SAMHSA, States may then compete for a second round of grants to help them implement the plan that they have made.

Lastly, this bill will develop a Committee of Federal Partners that will coordinate service programs that assist adolescents and young adults with mental illness at the federal level and provide technical assistance to States as they implement their plans. They also will report to Congress on their activities so that we can ensure they are doing their best to make sure these vulnerable young adults get the help and support they need.

This is such a critical time in a person's life and I look forward to continuing to work with my colleagues to make sure it is as healthy and positive an experience as it can be. I look forward to working with my colleagues to ensure its passage. I urge my colleagues on both sides of the aisle to support the bill.

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. 3195

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 "Healthy Transition Act of 2008".

SEC. 2. HEALTHY TRANSITIONING FOR YOUTH.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb-31 et seq.) is amended by adding at the end the following:

"SEC. 520K. HEALTHY TRANSITIONING FOR YOUTH.

"(a) PLANNING GRANTS.—

"(1) IN GENERAL.—The Secretary, in consultation with the agencies described in subsection (c)(3), shall award grants or cooperative agreements to States to develop plans for the statewide coordination of services to assist adolescents and young adults with a serious mental health disorder in acquiring the skills, knowledge, and resources necessary to ensure their healthy transition to successful adult roles and responsibilities.

"(2) APPLICATION.—To be eligible for a grant or cooperative agreement under this subsection, a State shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

"(3) PLAN.—Not later than 18 months after the receipt of a grant or cooperative agreement under this subsection, a State shall submit to the Secretary a State plan that shall include—

"(A) reliable estimates on the number of adolescents and young adults with serious mental health disorders in the State;

"(B) information on the youth targeted under this Act, including—

"(i) the number of adolescents and young adults with serious mental health disorders in the State and the number of such individuals who are currently being served in the State;

"(ii) the number of such individuals who are receiving mental health services provided by State agencies other than the agency responsible for mental health services in the State;

"(iii) the number of youth with serious mental health disorders who are involved in the juvenile justice system in the State;

"(iv) the number of youth with serious mental health disorders who are involved in the child protection system in the State;

"(v) the number of youth with serious mental health disorders who have plans in effect under the Individuals with Disabilities Education Act in the State;

"(vi) the number of youth with serious mental health disorders who are involved in vocational rehabilitation in the State;

"(vii) the range of ages served by the programs described in clauses (i) through (vi);

"(viii) a description of the overall transition coordination that is currently provided by the State or local authorities and programs in the State;

"(C) an identification of the skills, knowledge, and resources that adolescents and young adults with serious mental health disorders in the State will need to ensure their successful and healthy transition into adult roles and responsibilities;

"(D) an identification of the obstacles that adolescents and young adults with serious mental health disorders in the State encounter while transitioning into adult roles and responsibilities, including breaks in service or programs caused by eligibility and program criteria differences between the child and adult mental health systems and the lack of local access to mental health and transition services;

"(E) an identification of the current level, type, quality, effectiveness, and availability of services, including evidence-based practices, available in the State that are uniquely designed for adolescents and young adults with a serious mental health disorder to ensure a healthy transition to successful adult roles and responsibilities;

"(F) an identification of adolescents and young adults with a serious emotional disorder who have a low likelihood of a healthy and successful transition due to the severity of their illness, and an identification of how the State will provide treatment and other support services to this population;

"(G) an analyses of the strengths, weaknesses, and gaps of the current system in the State, including the availability of lack of mental health professionals trained to treat adolescents and young adults with a serious mental health disorder, as well as barriers, to address the needs of adolescents and young adults with a serious mental health disorder with an appropriate array of effective services and supports;

"(H) a description of how the State will improve the system of care to ensure successful and healthy transitions;

"(I) a description of how the State will coordinate the services of State and non-State agencies that serve adolescents and young adults with a serious mental health disorder;

"(J) a description of how the State will provide a system of coordinated service delivery under the grant or cooperative agreement that will address the effective services, supports, and unique needs of adolescents and young adults with a serious mental disorder, including those who have been placed in out of home settings such as the juvenile justice system or those who are or were involved in the child protection systems;

"(K) a description of how the State will coordinate efforts under the grant or cooperative agreement with existing services and systems in the State that focus on life skills necessary for a healthy transition including health, employment and pre-employment training, transportation, housing, recreation, mental health services, substance abuse, vocational rehabilitation services for persons with disabilities, and training for adolescents, young adults and adults, consumers and their families;

"(L) a description of how the State will work to build workforce capacity to serve the population described in subparagraph (J);

"(M) a description of how the State will reach out to the target population pre-transition, during transition, and post-transition;

"(N) a description of how the State is currently utilizing and leveraging (and how the State will use and leverage) Federal funding streams to care for the target population, including funding through Medicaid, the Department of Housing and Urban Development, the Department of Labor through supported employment, the Early and Periodic Screening, Diagnosis, and Treatment Program, and other programs, and including an outline of the barriers the State faces in

making Federal funding flow to the targeted population in a coordinated manner;

"(O) a description of how the State will involve adolescents and young adults with serious mental health disorders and their families and guardians in the service design, planning, and implementation of the plan under the grant or cooperative agreement;

"(P) an implementation subplan that shall be designed to recognize the challenges of implementing a program between communities at a statewide level and how the State will overcome those challenges;

"(Q) a description of how the State plans to evaluate outcomes under the program funded under the grant or cooperative agreement;

"(R) a designation of the State office that will be the lead agency responsible for administering the program under the grant or cooperative agreement;

"(S) a description of how the State will ensure that the activities planned under the grant or cooperative agreement will remain sustainable at the end of the cycle of Federal funding under this section; and

"(T) any other information determined appropriate by the Secretary.

"(4) DURATION OF SUPPORT.—The duration of a grant or cooperative agreement under this subsection shall not exceed 2 fiscal years.

"(5) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance and training in the development of the plan under paragraph (3), including convening a meeting of potential applicants for grants or cooperative agreement under this subsection.

"(6) AUTHORIZATION OF APPROPRIATIONS.—

"(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection, \$6,000,000 for fiscal year 2009, and such sums as may be necessary for each of fiscal years 2010 through 2013.

"(B) TECHNICAL ASSISTANCE.—The Secretary shall make available 15 percent of the amount appropriated under subparagraph (A) in each fiscal year for technical assistance under paragraph (5)

"(b) IMPLEMENTATION GRANTS.—

"(1) IN GENERAL.—The Secretary shall award grants or cooperative agreement to eligible States for the coordination of services to assist adolescents and young adults with serious mental health disorders in acquiring the services, skills, and knowledge necessary to ensure their healthy transition to successful adult roles and responsibilities.

"(2) ELIGIBILITY.—To be eligible for a grant or cooperative agreement under paragraph (1), a State shall—

"(A) be a State that has received a grant or cooperative agreement under subsection (a) and submitted a plan that meets the requirements of paragraph (3) of such subsection; or

"(B) be a State that has not received such a grant or cooperative agreement but that has a plan that is equivalent to the plan required under subsection (a)(3).

"(3) APPLICATION.—To be eligible for a grant or cooperative agreement under this subsection, a State shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary requires, including—

"(A) a copy of the plan submitted under subsection (a)(3), or in the case of a State described in paragraph (2)(B), a plan that is equivalent to the plan required under subsection (a)(3);

"(B) a list of the State agencies that will participate in the program to be funded under the grant or cooperative agreement along with written verification as to the commitment of such agencies to the program;

“(C) an assurance that the State will develop a coordinating committee composed of representatives of the participating State agencies, as well as consumers and families of consumers;

“(D) a description of the role of such coordinating committee; and

“(E) the names of at least two local communities that will implement the program at the local level and how those communities will implement the State plan.

“(4) USE OF FUNDS.—Funds provided under a grant or cooperative agreement under this subsection shall be used to implement the State plan, including—

“(A) facilitating a youth ombudsman or other advocacy program;

“(B) facilitating peer support programs and networks within the State;

“(C) facilitating access to independent living and life skills supports;

“(D) developing infrastructure to support access to necessary health, mental health, employment, education, and housing supports; and

“(E) facilitating the training of support providers and workforce capacity to serve the target population.

“(5) DURATION OF SUPPORT.—The duration of a grant or cooperative agreement under this subsection shall not exceed 5 fiscal years.

“(6) MATCHING REQUIREMENT.—

“(A) IN GENERAL.—To be eligible for a grant or cooperative agreement under this subsection, the State shall agree that, with respect to the costs to be incurred by the State in carrying out activities under the grant or cooperative agreement, the State will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—

“(i) for the first fiscal year for which the State receives payments under the grant or cooperative agreement, is not less than \$1 for each \$3 of Federal funds provided under the grant or cooperative agreement;

“(ii) for any second or third such fiscal year, is not less than \$1 for each \$2 of Federal funds provided under the grant or cooperative agreement;

“(iii) for any fourth such fiscal year, is not less than \$1 for each \$1 of Federal funds provided under the grant or cooperative agreement; and

“(iv) for any fifth such fiscal year, is not less than \$2 for each \$1 of Federal funds provided under the grant or cooperative agreement.

“(B) DETERMINATION OF AMOUNT CONTRIBUTED.—

“(i) IN GENERAL.—Non-Federal contributions required under subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

“(ii) NON-FEDERAL CONTRIBUTIONS.—In making a determination of the amount of non-Federal contributions for purposes of clause (i), the Secretary may include only non-Federal contributions in excess of the average amount of non-Federal contributions made by the State involved toward the purpose of the grant or cooperative agreement under this subsection for the 2-year period preceding the first fiscal year for which the State receives a grant or cooperative agreement under such subsection.

“(7) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance and training to recipients of grants or cooperative agreements under this subsection, including

convening meetings each year to identify ways of improving State programs. Such meetings shall include the members of the Federal Partners Committee under subsection (c).

“(8) EVALUATION.—The Secretary shall carry out a cross-site evaluation that—

“(A) reports on current State efforts to transition the population involved prior to the implementation of the State plans under this section; and

“(B) evaluates the program carried out by the State under this section to determine the effectiveness of such program in meeting its goals and objectives as compared with current approaches.

“(9) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection, \$6,000,000 for each of fiscal years 2009 and 2010, \$15,000,000 for fiscal year 2011, \$20,000,000 for fiscal year 2012, and \$25,000,000 for fiscal year 2013.

“(B) TECHNICAL ASSISTANCE AND EVALUATION.—The Secretary shall make available 15 percent of the amount appropriated under subparagraph (A), or \$2,000,000 whichever is greater, in each fiscal year for technical assistance under paragraph (7) and the evaluation under paragraph (8).

“(c) FEDERAL PARTNERS.—

“(1) IN GENERAL.—The Secretary shall designate an existing Federal entity, or establish a Committee of Federal Partners, to coordinate service programs to assist adolescents and young adults with serious mental health disorders in acquiring the knowledge and skills necessary for them to transition into adult roles and responsibilities.

“(2) EXISTING FEDERAL ENTITY.—If the Secretary elects to utilize an existing Federal entity under paragraph (1), the Secretary shall ensure that—

“(A) such entity is comprised of representatives of at least the agencies described in paragraph (3); and

“(B) such entity shall give special attention to the knowledge and skills needed by adolescents and young adults with mental health disorders in coordinating the programs funded under this section.

“(3) MEMBERSHIP.—A Federal entity utilized under this subsection, or a committee established under paragraph (1), shall include representatives of—

“(A) the Department of Education (or any subagency of the Department);

“(B) the Department of Health and Human Services (or any subagency of the Department);

“(C) the Department of Labor (or any subagency of the Department);

“(D) the Department of Transportation (or any subagency of the Department);

“(E) the Department of Housing and Urban Development (or any subagency of the Department);

“(F) the Department of Interior (or any subagency of the Department);

“(G) the Department of Justice (or any subagency of the Department);

“(H) the Social Security Administration;

“(I) an organization representing consumers and families of consumers as designated by the Secretary; and

“(J) an organization representing mental health and behavioral health professionals as designated by the Secretary.

“(4) ROLE OF ENTITY OR COMMITTEE.—The Federal entity or committee designated or established under paragraph (1) shall review how Federal programs and efforts that address issues related to the transition of adolescents and young adults with serious mental health disorders may be coordinated to ensure the maximum benefit for the individuals being served and to provide technical

assistance to the States who are planning or implementing programs under this section.

“(5) REPORT.—Not later than 18 months after the date of enactment of this Act, the Federal entity or committee designated or established under paragraph (1) shall submit to the appropriate committees of Congress, and make available to the general public, a report concerning the participation of Federal agencies and stakeholders in the planning and operations of the entity or committee. Such report shall also contain a description of the status of the efforts of such entity or committee in coordinating Federal efforts on behalf of the target population.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, \$1,000,000 for fiscal year 2009, and such sums as may be necessary for each of fiscal years 2010 through 2013.

“(d) DEFINITION.—In this section, the term ‘serious mental health disorder’ has the meaning given the term ‘serious mental illness’ by the Administrator for purposes of this title.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 601—DESIGNATING OCTOBER 19 THROUGH OCTOBER 25, 2008, AS “NATIONAL SAVE FOR RETIREMENT WEEK”

Mr. SMITH (for himself and Mr. CONRAD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES 601

Whereas Americans are living longer and the cost of retirement continues to rise, in part because the number of employers providing retiree health coverage continues to decline, and retiree health care costs continue to increase at a rapid pace;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States, but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States, less than ⅓ of workers or their spouses are currently saving for retirement, and that the actual amount of retirement savings of workers lags far behind the amount that will be needed to adequately fund their retirement years;

Whereas many workers may not be aware of their options for saving for retirement or may not have focused on the importance of, and need for, saving for their own retirement;

Whereas many employees have available to them through their employers access to defined benefit and defined contribution plans to assist them in preparing for retirement, yet many of them may not be taking advantage of employer-sponsored defined contribution plans at all or to the full extent allowed by the plans as prescribed by Federal law; and

Whereas all workers, including public- and private-sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from increased awareness of the need to save adequate funds for retirement and the availability of preferred savings vehicles to assist them in saving for retirement: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 19 through October 25, 2008, as “National Save for Retirement Week”;