

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 3718. A bill to amend the Internal Revenue Code of 1986 to suspend the taxation of unemployment compensation for 2 years; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce a bill that will provide much-needed relief to struggling families across America. The Unemployment Benefit Tax Suspension Act of 2008 is a critical piece of legislation that would suspend the collection of federal income tax on unemployment benefits for 2008 and 2009.

In light of the calamitous labor market, Congress must act to ensure that workers who lose their jobs do not also lose their livelihoods. On Friday, the Labor Department released sobering statistics that demonstrated the gravity of the situation we face. In November, the economy shed 533,000 jobs, the largest monthly job loss since December 1974. Our unemployment rate now stands at a perilous 6.7 percent, a 15-year high. We have lost 1.9 million jobs since the beginning of our present recession in December 2007—including ⅔ of those jobs in the last 3 months alone—and the number of unemployed stands at a whopping 10.3 million.

Suspending the federal income tax on unemployment benefits is a simple way to assist our nation's unemployed workers and families. In fact, the CBO has estimated that in 2005, of the 8.1 million recipients of UC benefits, 7.5 million had incomes of under \$100,000. As such, most of the benefits of suspending this tax are likely to go to lower- and middle-income families, those struggling harder than ever just to make ends meet.

During these challenging times, taxes on unemployment compensation represents a burden that unemployed members of our society simply cannot afford. Working families are already suffering, with the high cost of groceries, an unstable energy market, and the outrageous price tag for health care. My bill offers a means to help stimulate the economy by making unemployed workers' benefits stretch farther. While it is certainly not a solution to the problem, it is a step in the right direction.

President-elect Obama has voiced his support for this general idea, calling it "a way of giving more relief to families," and I believe that is the ultimate goal we must pursue in these trying times. I look forward to seeing this bill is passed in a timely manner, so that the impact can be immediate.

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. 3718

*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 "Unemployment Benefit Tax Suspension Act of 2008".

**SEC. 2. SUSPENSION OF TAX ON UNEMPLOYMENT COMPENSATION.**

(a) IN GENERAL.—Section 85 of the Internal Revenue Code of 1986 (relating to unemployment compensation) is amended by adding at the end the following new subsection:

“(c) TEMPORARY SUSPENSION.—Subsection (a) shall not apply to taxable years beginning after December 31, 2007, and before January 1, 2010.”.

By Ms. SNOWE (for herself and  
Mr. HATCH):

S. 3719. A bill to amend the Internal Revenue Code of 1986 to suspend the minimum required pension distribution rules for 2008, 2009, and 2010; to the Committee on Finance.

Ms. SNOWE. Mr. President, today I rise to introduce legislation to offer relief to retirees who are being forced to take so-called required minimum distributions from their retirement accounts in a year in which the Dow Jones Industrial Average has fallen a staggering 35 percent. Because retirees are forced to make withdrawals from their retirement accounts, they cannot wait for equities markets to recover and must, in many cases, unnecessarily absorb devastating losses. The Retirement Account Distribution Improvement Act of 2008 would suspend required minimum distribution rules until 2011 to allow retirees the ability to recoup some of their losses.

Under current law, individuals who have reached age 70.5 generally must begin to withdraw funds from their IRAs or defined contribution retirement plans, including 401(k), 403(b), 457, and TSP plans. The withdrawals must begin by April 1 of the year in which an individual attains age 70.5. Failure to take a required minimum distribution may result in a 50 percent excise tax on the difference between what must be withdrawn and the amount actually distributed.

In times that equities markets are rising and retirement account balances are growing, required minimum distribution rules are sensible. Indeed, they ensure the government gains revenue after years of tax-deferred growth. Unfortunately, we are now witnessing unprecedented losses in equities markets that have caused many individuals to suffer steep losses in their retirement account balances. Indeed, the American Association of Retired Persons has said that retirement accounts have lost as much as \$2.3 trillion between September 30, 2007, and October 16 of this year. Forcing individuals to liquidate accounts and pay income taxes on the proceeds, as is required under current law, instead of allowing them to wait until the market recovers and continue to defer tax, simply adds insult to injury. Moreover, mandating withdrawals may cause stock prices to fall, hurting other investors.

It is for these reasons that I am today introducing legislation to waive minimum required distributions for the 2008 to 2010 period. Under my legislation, retirement plan custodians would be prohibited from making required distributions unless an individual specifically asked that funds be with-

drawn. Plan custodians would have to send individuals a notification to alert them that they must make an affirmative election to receive funds from their accounts. Finally, to benefit individuals who have already taken a required minimum distribution for 2008, the bill would allow a re-contribution of those amounts into a retirement account by July 1, 2009.

I am aware that others have proposed variations on the provisions I am introducing today. For example, Treasury Secretary Henry Paulson may be considering very short-term administrative relief. While well intentioned, this approach does not guarantee meaningful long-term action. Meanwhile, others have drafted legislation to suspend minimum distribution rules. Notably, Senators BAUCUS, GRASSLEY, KENNEDY, and ENZI, offered legislation. The Worker, Retiree and Employer Recovery Act of 2008, before the Thanksgiving Recess, a measure that I have cosponsored because it includes many worthy provisions such as a one-year waiver of required minimum distribution rules. While I greatly appreciate their efforts and hope that we can clear that bill as early as today, we must do more. A 1-year waiver of minimum distribution rules is simply a good start, but with many predicting a multi-year recession, I believe the waiver should be at least 3 years.

Congress must adopt a longer-term approach to helping individuals protect their retirement assets and weather the current economic storm. Individuals may require several years to recoup losses they have sustained, and by enabling them to keep assets in their retirement accounts until 2011, this bill offers them that opportunity. After 2 years, Congress can reevaluate whether the waiver of current-law rules should be further extended. I urge all Senators to consider the benefits this legislation will provide to millions of retirees all across the United States, and I look forward to working with my colleagues to enact it in a timely manner.

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

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

S. 3719

*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 "Retirement Account Distribution Improvement Act of 2008".

**SEC. 2. TEMPORARY WAIVER OF REQUIRED MINIMUM DISTRIBUTION RULES FOR CERTAIN RETIREMENT PLANS AND ACCOUNTS.**

(a) IN GENERAL.—Section 401(a)(9) of the Internal Revenue Code of 1986 (relating to required distributions) is amended by adding at the end the following new subparagraph:

“(H) TEMPORARY WAIVER OF MINIMUM REQUIRED DISTRIBUTION.—

“(i) IN GENERAL.—The requirements of this paragraph shall not apply in calendar year 2008, 2009, or 2010 to—

“(I) a defined contribution plan which is described in this subsection or in section 403(a) or 403(b),

“(II) a defined contribution plan which is an eligible deferred compensation plan described in section 457(b) but only if such plan is maintained by an employer described in section 457(e)(1)(A), or

“(III) an individual retirement plan.

“(ii) PLANS ONLY TO MAKE ELECTIVE DISTRIBUTIONS.—A trust forming part of a plan shall not constitute a qualified trust under this subsection unless the plan provides that it will not make a payment or distribution during calendar year 2009 or 2010 which would otherwise be made to meet the requirements of this paragraph unless the employee or beneficiary elects to have such payment or distribution made. This clause shall not apply to an employee or beneficiary who is receiving, after the annuity starting date, distributions under the plan through an annuity contract issued by a company licensed to do business as an insurance company under the laws of any State.

“(iii) ELECTION.—An election under clause (ii) shall be made at such time and in such manner as the Secretary may prescribe. The Secretary may permit an employer to offer only 1 election that applies to 2009 and 2010 or may require employers to offer separate elections for each calendar year.

“(iv) INDIVIDUAL RETIREMENT PLANS EXEMPT FROM ELECTIVE DISTRIBUTION REQUIREMENT.—In the case of an individual retirement account or annuity described in section 408, this subparagraph shall be applied without regard to clauses (ii) and (iii).

“(v) SPECIAL RULES REGARDING WAIVER PERIOD.—For purposes of this paragraph—

“(I) the required beginning date with respect to any individual shall be determined without regard to this subparagraph for purposes of applying this paragraph to calendar years after 2010, and

“(II) if clause (ii) of subparagraph (B) applies to such individual, the 5-year period described in such clause shall be determined without regard to calendar years 2008, 2009, or 2010.”.

(b) ELIGIBLE ROLLOVER DISTRIBUTIONS.—Section 402(c)(4) of the Internal Revenue Code of 1986 (defining eligible rollover distribution) is amended by adding at the end the following new flush sentence:

“If all or any portion of a distribution during 2008, 2009, or 2010 is treated as an eligible rollover distribution but would not be so treated if the minimum distribution requirements under section 401(a)(9) had applied during such calendar year, such distribution shall not be treated as an eligible rollover distribution for purposes of section 401(a)(31) or 3405(c) or subsection (f) of this section”.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

(2) RECONTRIBUTIONS OF DISTRIBUTIONS IN 2008 OR EARLY 2009.—

(A) IN GENERAL.—If a person receives 1 or more eligible distributions, the person may, on or before July 1, 2009, make one or more contributions (in an aggregate amount not exceeding all eligible distributions) to an eligible retirement plan and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16) of the Internal Revenue Code of 1986, as the case may be. For purposes of the preceding sentence, rules similar to the rules of clauses (ii) and (iii) of section 402(c)(11)(A) of such Code shall apply in the case of a beneficiary who is not the surviving

spouse of the employee or of the owner of the individual retirement plan.

(B) ELIGIBLE DISTRIBUTION.—For purposes of this paragraph—

(i) IN GENERAL.—Except as provided in clause (ii), the term “eligible distribution” means an applicable distribution to a person from an individual account or annuity—

(I) under a plan which is described in clause (iv), and

(II) from which a distribution would, but for the application of section 401(a)(9)(H) of such Code, have been required to have been made to the individual for 2008 or 2009, whichever is applicable, in order to satisfy the requirements of sections 401(a)(9), 404(a)(2), 403(b)(10), 408(a)(6), 408(b)(3), and 457(d)(2) of such Code.

(ii) ELIGIBLE DISTRIBUTIONS LIMITED TO REQUIRED DISTRIBUTIONS.—The aggregate amount of applicable distributions which may be treated as eligible distributions for purposes of this paragraph shall not exceed—

(I) for purposes of applying subparagraph (A) to distributions made in 2008, the amount which would, but for the application of section 401(a)(9)(H) of such Code, have been required to have been made to the individual in order to satisfy the requirements of sections 401(a)(9), 404(a)(2), 403(b)(10), 408(a)(6), 408(b)(3), and 457(d)(2) of such Code for 2008, and

(II) for purposes of applying subparagraph (A) to distributions made in 2009, the sum of the amount which would, but for the application of such section 401(a)(9)(H), have been required to have been made to the individual in order to satisfy such requirements for 2009, plus the excess (if any) of the amount described in subclause (I) which may be distributed in 2009 to meet such requirements for 2008 over the portion of such amount taken into account under subclause (I) for distributions made in 2008.

(iii) APPLICABLE DISTRIBUTION.—

(I) IN GENERAL.—The term “applicable distribution” means a payment or distribution which is made during the period beginning on January 1, 2008, and ending on June 30, 2009.

(II) EXCEPTION FOR MINIMUM REQUIRED DISTRIBUTIONS FOR OTHER YEARS.—Such term shall not include a payment or distribution which is required to be made in order to satisfy the requirements of section 401(a)(9), 404(a)(2), 403(b)(10), 408(a)(6), 408(b)(3), or 457(d)(2) of such Code for a calendar year other than 2008 or 2009.

(III) EXCEPTION FOR PAYMENTS IN A SERIES.—In the case of any plan described in clause (iv)(I), such term shall not include any payment or distribution made in 2009 which is a payment or distribution described in section 402(c)(4)(A).

(iv) PLANS DESCRIBED.—A plan is described in this clause if the plan is—

(I) a defined contribution plan (within the meaning of section 414(i) of such Code) which is described in section 401, 403(a), or 403(b) of such Code or which is an eligible deferred compensation plan described in section 457(b) of such Code maintained by an eligible employer described in section 457(e)(1)(A) of such Code, or

(II) an individual retirement plan (as defined in section 7701(a)(37) of such Code).

(C) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a payment or distribution from a plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the payment or distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and

as having transferred the amount to the plan in a direct trustee to trustee transfer.

(D) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a payment or distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, such payments or distributions shall be treated as a distribution that satisfies subparagraphs (A) and (B) of section 408(d)(3) of such Code and as having been transferred to the individual retirement plan in a direct trustee to trustee transfer.

(3) PROVISIONS RELATING TO PLAN OR CONTRACT AMENDMENTS.—

(A) IN GENERAL.—If this paragraph applies to any pension plan or contract amendment, such pension plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subparagraph (B)(ii)(I).

(B) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(i) IN GENERAL.—This paragraph shall apply to any amendment to any pension plan or annuity contract which—

(I) is made by pursuant to the amendments made by this section, and

(II) is made on or before the last day of the first plan year beginning on or after January 1, 2011.

In the case of a governmental plan, subclause (II) shall be applied by substituting “2012” for “2011”.

(ii) CONDITIONS.—This paragraph shall not apply to any amendment unless—

(I) during the period beginning on January 1, 2009, and ending on December 31, 2010 (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect; and

(II) such plan or contract amendment applies retroactively for such period.

By Mr. SPECTER:

S. 3720. A bill to amend the Internal Revenue Code of 1986 to suspend the minimum required pension distribution rules for 2008 and 2009; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to temporarily suspend the requirement that persons aged 70½ and over take minimum distributions from their pensions or Individual Retirement Accounts, IRAs.

I offer this legislation because of the economic situation our country is in at this moment. At a time when our financial markets are so greatly unstable, the government should not be requiring people—especially retired citizens likely living on fixed incomes—to take money out of the markets. If seniors need this money, and want to take this money out of their pension plans, they should certainly be allowed to do so. But right now, while the markets are so unpredictable, I think it is wise for Congress to suspend the requirement that persons aged 70½ and above take mandatory distributions from their pensions, 401(k)s, and IRAs.

The legislation I am introducing today will suspend this requirement for 1 year. Recently, forecasters at the Federal Reserve Bank of Philadelphia estimated that the United States will

enter into a recession lasting approximately 14 months. While I certainly hope that they are wrong, and our economy begins to improve as Congress looks at various ways to stimulate the financial markets, I think we must be prudent in preparing for the worst. A 1 year suspension of the required pension distribution rule would allow time for the markets to stabilize. If, a year from now, our financial situation has not vastly improved, I believe it may be prudent to visit this issue again.

This legislation is a simple fix that will have a significant impact on both the financial markets and the portfolios of our senior citizens. Requiring seniors to take disbursements from their pensions or IRAs now will also likely mean that, with the markets at such a low point, seniors will be losing a significant amount of money. Current tax law not only is hurting the financial markets with this rule, it is also hurting the wallets of seniors who will see smaller distributions and dwindling pensions. If seniors don't need these distributions right now, let them keep their money in their retirement plans until the markets can rebuild and boost the amount those retirement plans are worth.

Another provision in this legislation would allow retirees who have already taken distributions in 2008 to reinvest those distributions back into their pension plan without penalty. This again would put money back into the markets if the recipients don't yet need the money at this time.

I hope that we will be able to weather the current financial storm we are in quickly. Through small measures like this one, in conjunction with the larger measures that Congress has already done, we can begin to bring stability to the markets. I look forward to working with my colleagues on this and other legislation to help the families in this country who are hurting because of the economic downturn.

By Mr. BROWNBACK:

S. 3721. A bill to prohibit the use of funds to transfer individuals detained by the United States at Naval Station, Guantanamo Bay, Cuba, to the United States Disciplinary Barracks, Fort Leavenworth, Kansas; to the Committee on Armed Services.

Mr. BROWNBACK. 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. 3721

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

**SECTION 1. PROHIBITION ON USE OF FUNDS TO TRANSFER INDIVIDUALS DETAINED AT GUANTANAMO BAY, CUBA, TO THE UNITED STATES DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANSAS.**

None of the funds appropriated or otherwise made available to any Federal department or agency may be used to transfer any individual detained by the United States at

Naval Station, Guantanamo Bay, Cuba, to the United States Disciplinary Barracks, Fort Leavenworth, Kansas.

By Mr. REID (for himself and Mr. ENSIGN):

S. 3724. A bill to direct the Secretary to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I rise today with my good friend Senator ENSIGN to introduce the Elko Indian Colony Expansion Act of 2008.

The Te-moak Tribe of Western Shoshone Indians of Nevada includes four constituent bands, each having a separate reservation or colony in north-eastern Nevada. One of the Te-moak Tribe's bands—the Elko Band—has a strong need for additional land. While their population has steadily grown, their land base has remained the same for over 75 years. This legislation would direct the Secretary of the Interior to make a reasonable expansion of the Te-moak Tribe's Elko Colony by taking 375 acres of land into trust.

The histories of the city of Elko and the Elko Indian Colony have long been intertwined. Elko was established as a railroad town in 1868 with the construction of the Central Pacific, part of the first transcontinental railroad. Shoshone families that had long lived in the area camped nearby to work on the railroad and in the area's mines and ranches.

Government officials tried to relocate Elko's Indian families and all Western Shoshones to the Duck Valley Indian Reservation, 100 miles to the north of Elko, when it was created in 1877. The families refused to leave, however, and managed to stay in the Elko area. When the government's formal relocation policy failed, separate "colonies" for remaining Shoshone families were established. In 1918, President Woodrow Wilson reserved 160 acres for the Shoshone Indians near Elko by executive order. Another 33 acres were later purchased by the Bureau of Indian Affairs, BIA, and were made part of the colony by Congress in 1931.

Today the Elko Colony is a thriving community. More than half of the Te-moak's Tribe's enrolled members live and work in Elko, yet the Elko Colony has one of the smallest land bases of the four constituent bands. Over 350 tribal members are forced to live off of the colony because of a lack of reservation housing. Our legislation would address this need for more land by directing the Secretary of the Interior to take approximately 375 acres of land into trust for the tribe. These lands are currently managed by the Bureau of Land Management, BLM, and are adjacent to the existing Elko Colony. The land would be available for residential or commercial development, or for traditional uses, like ceremonial gatherings, hunting, and plant collecting.

We have received strong letters of support for this proposal from both the

City of Elko and Elko County. It is always encouraging when communities come together to work on a project like this, and we are grateful for their collective work on this effort. I also want to highlight that the city has a number of rights-of-way that cross the land in question, and our legislation is designed to protect those interests.

This bill will do so much to improve the lives of the Elko Band of the Te-moak Tribe. We are pleased to bring this legislation to the committee and we look forward to working with Chairman BINGAMAN, Ranking Member DOMENICI and the other distinguished members to move this bill through the process.

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. 3724

*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 "Elko Indian Colony Expansion Act of 2008".

**SEC. 2. DEFINITIONS.**

In this Act:

(1) MAP.—The term "map" means the map entitled "Te-moak Tribal Land Expansion", dated September 30, 2008, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(3) TRIBE.—The term "Tribe" means the Te-moak Tribe of Western Shoshone Indians of Nevada, which is a federally recognized Indian tribe.

**SEC. 3. LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA.**

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) shall be held in trust by the United States for the benefit and use of the Tribe; and

(2) shall be part of the reservation of the Tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 373 acres of land administered by the Bureau of Land Management and identified on the map as "Lands to be Held in Trust".

(c) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(d) CONDITIONS.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) USE OF TRUST LAND.—With respect to the use of the land taken into trust under subsection (a), the Tribe shall limit the use of the land to—

(A) traditional and customary uses;

(B) stewardship conservation for the benefit of the Tribe; and

(C)(i) residential or recreational development; or

(ii) commercial use.

(3) THINNING; LANDSCAPE RESTORATION.—

With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities on the land that is beneficial to the Tribe and the Bureau of Land Management.

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 721—RECOGNIZING AND HONORING THE SMITH CENTER HIGH SCHOOL FOOTBALL TEAM

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

S. RES. 721

Whereas the citizens of Kansas are truly proud of the Smith Center High School football team for capturing the team's fifth State football championship title after finishing an undefeated season;

Whereas Smith Center has won 67 consecutive games, which is the third-longest winning streak among high school football teams in the nation, and which breaks the State record;

Whereas Smith Center set a national record by scoring 72 first-quarter points in a playoff game in 2007;

Whereas, in the 2007 season, Smith Center outscored its opponents 844-20;

Whereas head football coach Roger Barta has provided consistent leadership for the team, has led Smith Center to win 7 State titles, and was named national high school football coach of the year by the U.S. Army All-American Bowl Selection Committee;

Whereas Smith Center players provide an excellent example to our nation's youth by signing a pledge to stay away from drugs, alcohol, and tobacco, and by demonstrating outstanding determination and teamwork; and

Whereas the members of the Smith Center High School football team include: Ethan Eastes, Clay Pickel, Colt Rogers, Aaron McNary, Joe Osburn, Truitt Kuhlmann, Alex Hobelmann, Trevor Rempke, Travis Rempke, Kris Lehmann, Brock Baxter, Shawn Stansbury, Garrett Kuhlmann, Matt Atwood, Taylor Rippe, Tracy Hudson, Trey Molzahn, Aaron Sellars, Marshall McCall, Cole McDowell, Dereck McNary, Chase McDonald, William Overmiller, Jon Osburn, Nate Piester, Monroe Schmidt, Joel Osburn, Kaden Roush, Brit Nixon, Van Tucker, Logan Tuxhorn, Dillon Corbett, Grady Brooks, Cole Conaway, Nathan Cox, Louis Frazier, Jesse Roush, Spencer VanderGiesen, Zachary Herdt, Trenton Terrill, Bryce Standley, Cody Tucker, Josh McDowell, Kale Terrill, Kelly Wiig, Jake Fischer, Curtis Favinger, Collin Duntz, Johnny Troy, Billie Stokesbury, Josh Nixon, Justin Nixon, Anden Hughes, Spencer Kirchhoff, Jace Winder, and Kalen Mace: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Smith Center High School football team, including the players, head coach Roger Barta, and the coaching staff, on a victorious season; and

(2) thanks the team for the great honor it has brought to Smith Center and to the State of Kansas.

#### SENATE RESOLUTION 722—RECOGNIZING JANUARY 2, 2009 AS “NATIONAL ADVERTISING SPECIALTY DAY”

Mr. SPECTER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 722

Whereas an advertising specialty is any item imprinted with a logo or slogan and given out to promote a company, organization, product, service, special achievement, or event;

Whereas the presidential campaign of George Washington first used advertising specialties in the United States in 1789, in the form of collectible buttons;

Whereas there are more than 750,000 varieties of specialty advertising;

Whereas the advertising specialty industry employs more than 344,000 professionals across the United States, and 85 percent of these professionals are employed by small- or medium-sized businesses, some of which gross up to \$1,000,000 per year;

Whereas the advertising specialty industry has grown an average of 4 percent each year since 2003 and reached \$19,600,000,000 in 2007;

Whereas advertising specialties accounted for 14 percent of all tracked advertising spending in the United States in 2007; and

Whereas the advertising specialty industry accounts for more than 9,000 jobs in Pennsylvania: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes January 2, 2009 as “National Advertising Specialty Day”; and

(2) acknowledges the contributions the specialty advertising industry makes to the economy of the United States.

Mr. SPECTER. Mr. President, I have sought recognition to introduce a resolution recognizing January 2 as National Advertising Specialty Day.

An advertising specialty is any item imprinted with a logo or slogan and given out to promote a company, organization, product, service, special achievement or event. The use of advertising specialties has historical relevance as the industry dates back to George Washington's use of collectible buttons in his presidential campaign in 1789. Today, there are over 750,000 varieties of advertising specialties.

The advertising specialty industry is now a major contributor to the United States economy. The industry employs over 344,000 professionals, including 9,000 in Pennsylvania. Eighty-five percent of these professionals are employed in small or medium-size businesses, some of which gross up to one million dollars per year.

The advertising specialty industry has experienced substantial growth. It has grown annually at an average rate of 4 percent since 2003 making it a 19.6 billion dollar industry in 2007. Advertising specialties now account for over 14 percent of all tracked advertising spending in the United States.

It is important to recognize the positive contributions the advertising specialty industry has had on the economy by creating jobs and small busi-

nesses. I urge my colleagues to support this industry by designating January 2 as National Advertising Specialty Day.

#### SENATE RESOLUTION 723—TO PERMIT THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS

Mr. MCCONNELL (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 723

*Resolved*,

#### SECTION 1. COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer, or employee of the Senate may collect from another Senator, officer, or employee of the Senate within Senate buildings nonmonetary donations of clothing, toys, food, and housewares for charitable purposes related to serving those in need or members of the Armed Services and their families during the holiday season, if such purposes do not otherwise violate any rule or regulation of the Senate or of Federal law; and

(2) a Senator, officer, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (1).

(b) EXPIRATION.—The authority provided by this resolution shall expire at the end of the 110th Congress.

### NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, December 10, 2008, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony regarding investments in clean energy and natural resources projects and programs to create green jobs and to stimulate the economy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [Rosemarie Calabro@energy.senate.gov](mailto:Rosemarie.Calabro@energy.senate.gov)

For further information, please contact Deborah Estes at (202) 224-5360, Scott Miller at (202) 224-5488, or Rosemarie Calabro at (202) 224-5039.