

an entity (such as a cancer center, hospital, academic health center, hospice program, physician practice, school of nursing, visiting nurse association, or other home health agency) that the Secretary determines is capable, directly or through an arrangement with a hospice program (as defined in section 1861(dd)(2) of the Social Security Act (42 U.S.C. 1395x(dd)(2))), of providing the items and services described in such subsection.

(2) **SELECTION.**—The Secretary shall select not more than 10 eligible entities to participate in the demonstration project. Such entities shall be selected in a manner so that the demonstration project is conducted in different regions across the United States and in urban and rural locations.

(c) **EVALUATION AND REPORT.**—

(1) **EVALUATION.**—The Secretary shall conduct a comprehensive evaluation of the demonstration project to determine—

(A) the effectiveness of the project in improving patient outcomes;

(B) the cost of providing comprehensive symptom management, including palliative care, from the time of diagnosis;

(C) the effect of comprehensive cancer care planning and the provision of comprehensive symptom management on patient outcomes, cancer care expenditures, and the utilization of hospitalization and emergent care services; and

(D) potential savings to the Medicare program demonstrated by the project.

(2) **REPORT.**—Not later than the date that is one year after the date on which the demonstration project concludes, the Secretary shall submit to Congress a report on the evaluation conducted under paragraph (1).

## **TITLE II—COMPREHENSIVE PALLIATIVE CARE AND SYMPTOM MANAGEMENT PROGRAMS**

### **SEC. 201. GRANTS FOR COMPREHENSIVE PALLIATIVE CARE AND SYMPTOM MANAGEMENT PROGRAMS.**

(a) **IN GENERAL.**—The Secretary of Health and Human Services shall make grants to eligible entities for the purpose of—

(1) establishing a new palliative care and symptom management program for cancer patients; or

(2) expanding an existing palliative care and symptom management program for cancer patients.

(b) **AUTHORIZED ACTIVITIES.**—Activities funded through a grant under this section may include—

(1) securing consultative services and advice from institutions with extensive experience in developing and managing comprehensive palliative care and symptom management programs;

(2) expanding an existing program to serve more patients or enhance the range or quality of services, including cancer treatment patient education services, that are provided;

(3) developing a program that would ensure the inclusion of cancer treatment patient education in the coordinated cancer care model; and

(4) establishing an outreach program to partner with an existing comprehensive care program and obtain expert consultative services and advice.

(c) **DISTRIBUTION OF FUNDS.**—In making grants and distributing the funds under this section, the Secretary shall ensure that—

(1) two-thirds of the funds appropriated to carry out this section for each fiscal year are used for establishing new palliative care and symptom management programs, of which not less than half of such two-thirds shall be for programs in medically underserved communities to address issues of racial and ethnic disparities in access to cancer care; and

(2) one-third of the funds appropriated to carry out this section for each fiscal year are

used for expanding existing palliative care and symptom management programs.

(d) **DEFINITIONS.**—In this section:

(1) The term “eligible entity” includes—

(A) an academic medical center, a cancer center, a hospital, a school of nursing, or a health system capable of administering a palliative care and symptom management program for cancer patients;

(B) a physician practice with care teams, including nurses and other professionals trained in palliative care and symptom management;

(C) a visiting nurse association or other home care agency with experience administering a palliative care and symptom management program;

(D) a hospice; and

(E) any other health care agency or entity, as the Secretary determines appropriate.

(2) The term “medically underserved community” has the meaning given to that term in section 799B(6) of the Public Health Service Act (42 U.S.C. 295p(6)).

(3) The term “Secretary” means the Secretary of Health and Human Services.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

## **TITLE III—PROVIDER EDUCATION REGARDING PALLIATIVE CARE AND SYMPTOM MANAGEMENT.**

### **SEC. 301. GRANTS TO IMPROVE HEALTH PROFESSIONAL EDUCATION.**

(a) **IN GENERAL.**—The Secretary of Health and Human Services shall make grants to eligible entities to enable the entities to improve the quality of graduate and postgraduate training of physicians, nurses, and other health care providers in palliative care and symptom management for cancer patients.

(b) **APPLICATION.**—To seek a grant under this section, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the Secretary shall require that each such application demonstrate—

(1) the ability to incorporate palliative care and symptom management into training programs; and

(2) the ability to collect and analyze data related to the effectiveness of educational efforts.

(c) **EVALUATION.**—The Secretary shall develop and implement a plan for evaluating the effects of professional training programs funded through this section.

(d) **DEFINITIONS.**—In this section:

(1) The term “eligible entity” means a cancer center (including an NCI-designated cancer center), an academic health center, a physician practice, a school of nursing, or a visiting nurse association or other home care agency.

(2) The term “NCI-designated cancer center” means a cancer center receiving funds through a P30 Cancer Center Support Grant of the National Cancer Institute.

(3) The term “Secretary” means the Secretary of Health and Human Services.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

### **SEC. 302. GRANTS TO IMPROVE CONTINUING PROFESSIONAL EDUCATION.**

(a) **IN GENERAL.**—The Secretary of Health and Human Services shall make grants to eligible entities to improve the quality of continuing professional education provided to qualified individuals regarding palliative care and symptom management.

(b) **APPLICATION.**—To seek a grant under this section, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the Secretary shall require that each such application demonstrate—

(1) experience in sponsoring continuing professional education programs;

(2) the ability to reach health care providers and other professionals who are engaged in cancer care;

(3) the capacity to develop innovative training programs; and

(4) the ability to evaluate the effectiveness of educational efforts.

(c) **EVALUATION.**—The Secretary shall develop and implement a plan for evaluating the effects of continuing professional education programs funded through this section.

(d) **DEFINITIONS.**—In this section:

(1) The term “eligible entity” means a cancer center (including an NCI-designated cancer center), an academic health center, a school of nursing, or a professional society that supports continuing professional education programs.

(2) The term “NCI-designated cancer center” means a cancer center receiving funds through a P30 Cancer Center Support Grant of the National Cancer Institute.

(3) The term “qualified individual” means a physician, nurse, social worker, chaplain, psychologist, or other individual who is involved in providing palliative care and symptom management services to cancer patients.

(4) The term “Secretary” means the Secretary of Health and Human Services.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

## **TITLE IV—RESEARCH ON END-OF-LIFE TOPICS FOR CANCER PATIENTS**

### **SEC. 401. RESEARCH PROGRAM.**

(a) **IN GENERAL.**—The Director of the National Institutes of Health shall establish a program of grants for research on palliative care, symptom management, communication skills, and other end-of-life topics for cancer patients.

(b) **INCLUSION OF NATIONAL RESEARCH INSTITUTES.**—In carrying out the program established under this section, the Director should provide for the participation of the National Cancer Institute, the National Institute of Nursing Research, and any other national research institute that has been engaged in research described in subsection (a).

(c) **DEFINITIONS.**—In this section:

(1) The term “Director” means the Director of the National Institutes of Health.

(2) The term “national research institute” has the meaning given to that term in section 401(g) of the Public Health Service Act (42 U.S.C. 281(g)).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

## **SUBMITTED RESOLUTIONS**

### **SENATE RESOLUTION 490—RECOGNIZING THE ALVIN AILEY AMERICAN DANCE THEATER FOR 50 YEARS OF SERVICE TO THE PERFORMING ARTS**

Mrs. CLINTON (for herself and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on the Judiciary:

## S. RES. 490

Whereas the Alvin Ailey American Dance Theater (AAADT) is widely recognized as one of the world's premier modern dance companies;

Whereas AAADT is dedicated to promoting the uniqueness of the African-American cultural experience, to preserving the heritage of modern dance, and to bringing modern dance to people around the globe;

Whereas, over its 50-year history, AAADT has performed for an estimated 21,000,000 people in 48 States and in 71 countries on 6 continents;

Whereas AAADT tours more than any other performing arts company in the world;

Whereas AAADT's signature work, "Revelations", has been seen by more people around the globe than any other work of dance;

Whereas AAADT performs works by both emerging and established choreographers from throughout the United States and the world;

Whereas AAADT's home in New York City, The Joan Weill Center for Dance, is the largest facility dedicated exclusively to dance in the United States;

Whereas Alvin Ailey, founder of AAADT, received the United Nations Peace Medal in 1982;

Whereas President George W. Bush recognized AAADT and Artistic Director Judith Jamison with the National Medal of Arts in 2001, making AAADT the first dance company to be so honored;

Whereas AAADT has performed for United States Presidents and foreign leaders throughout the company's 50-year history, including performances in 1968 for President Johnson, in 1977 at the inaugural gala for President Carter, in 1993 at the inaugural gala for President Clinton, and in 2003 at a state dinner honoring President Mwai Kibaki of Kenya;

Whereas, over the years, AAADT has brought the culture of the United States to audiences around the world with performances at such historic events as the Rio de Janeiro International Arts Festival in 1963, the first Negro Arts Festival in Dakar, Senegal, in 1966, the fabled New Year's Eve performance for the Crown Prince of Morocco in 1978, the Paris Centennial performance at the Grand Palais Theatre in 1989, 2 unprecedented engagements in South Africa in 1997 and 1998, the 1996 and 2002 Olympic Games, the 2005 Stars of the White Nights festival in St. Petersburg, Russia, and the 2006 Les étés de la danse de Paris festival in Paris, France;

Whereas AAADT annually provides more than 100,000 young people from diverse cultural, social, and economic backgrounds with the opportunity to explore their creative potential and build their self-esteem through its Arts in Education and Community Programs, which includes 9 AileyCamps in cities across the United States;

Whereas Ailey II, the junior company to AAADT, reaches more than 69,000 people each year through its inspiring performances and outreach activities while touring to smaller communities in more than 50 North American cities; and

Whereas the Ailey School, accredited by the National Association of Schools of Dance, provides the highest quality training consistent with the professional standards of AAADT, including a Certificate Program, a Fellowship Program, and a Bachelor of Fine Arts degree program in conjunction with Fordham University: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and commends the Alvin Ailey American Dance Theater (AAADT) for 50 years of service as a cultural ambassador of the United States to the world, by bring-

ing world-class American modern dance to an estimated 21,000,000 people around the globe;

(2) recognizes that AAADT has been a true pioneer in the world of dance by establishing an extended cultural community that provides dance performances, training, and community programs to all people while using the beauty and humanity of the African-American heritage and other cultures to unite people of all ages, races, and backgrounds; and

(3) recognizes that Ailey II, the prestigious Ailey School, and the extensive and innovative Arts in Education and Community Programs of AAADT train future generations of dancers and choreographers while continuing to expose young people from communities large and small to the arts.

#### SENATE RESOLUTION 491—RECOGNIZING THE NEED AND IMPORTANCE OF PROVIDING ADDITIONAL FEDERAL FUNDS FOR THE SECRETARY OF THE ARMY TO CARRY OUT HURRICANE, COASTAL, AND FLOOD PROTECTION AND HURRICANE AND FLOOD DAMAGE REDUCTION ACTIVITIES AND RELATED FEATURES IN THE STATE OF LOUISIANA

Mr. VITTER submitted the following resolution; which was referred to the Committee on Environment and Public Works:

## S. RES. 491

Whereas the restoration of the infrastructure, hurricane, flood protection, ecosystem, and habitat of the State of Louisiana is critical to the United States economy because—

(1) Louisiana is the key to United States energy security, providing nearly 30 percent of the energy required to power the United States economy;

(2) Louisiana provides more than 25 percent of the seafood consumed in the United States;

(3) Louisiana provides the largest port system in the world (having 5 of 15 ports with the most total tonnage of all ports in the United States); and

(4) more than 36 States depend on maritime commerce on waterways in Louisiana to receive goods and services;

Whereas, in 2005, Hurricanes Katrina and Rita devastated Louisiana, causing the death of more than 1,400, the loss of 217 square miles of coastal land and wetlands, and destroyed the integrity and performance of the hurricane protection system;

Whereas in Louisiana Hurricanes Katrina and Rita initially caused the evacuation and displacement of 1,300,000 residents of Louisiana, destroyed more than 200,000 homes, 40 schools, and 10 hospitals, damaged 835 schools, flooded more than 16,000 businesses, caused the loss of 179,000 jobs, and resulted in property losses of more than \$100,000,000,000 in the State;

Whereas Louisiana had a reduction in gross State product of \$7,400,000,000 during the period beginning on the date of occurrence of Hurricane Katrina and ending on June 30, 2006;

Whereas Federal funds are needed, in addition to the fiscal year 2009 budget request of the President, to reduce the risk to the greater New Orleans, Louisiana, area from storm surges to provide at least an updated 100-year protection standard and address associated flood protection needs to meet the President's commitment to complete the Corps of Engineers work necessary for the

updated 100-year protection standard for the greater New Orleans area by the 2011 hurricane season;

Whereas, in accordance with section 7012(c) of the Water Resources Development Act of 2007 (121 Stat. 1279), the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate may adopt a resolution to allow for appropriation of additional Federal funds that exceed 25 percent of the authorized level for the activities identified in subsection (a) of that section;

Whereas, the historic cost share for current and future work for the Southeast Louisiana Project is 75 percent Federal and 25 percent non-Federal, in accordance with section 533(d) of the Water Resources Development Act of 1996 (110 Stat. 3775), as reconfirmed by Congress in subsequent supplemental legislation related to the 2005 hurricanes; and

Whereas, the historic cost share for the Lake Pontchartrain and Vicinity project is 70 percent Federal and 30 percent non-Federal, in accordance with section 204 of the Flood Control Act of 1965 (79 Stat. 1077), as reconfirmed by Congress in subsequent supplemental legislation:

Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the urgency for Congress to approve additional Federal funds required by the Corps of Engineers by October 1, 2008, to complete hurricane, coastal, and flood protection and hurricane and flood damage reduction activities and related features to meet the President's commitment to complete the Corps of Engineers work necessary for the updated 100-year protection standard for the greater New Orleans area by the 2011 hurricane season; and

(2) finds that, given the significance and consequences of the 2005 Hurricanes Katrina and Rita, the additional Federal funds to reduce the risk to the greater New Orleans, Louisiana, area from storm surges and to provide at least an updated 100-year protection standard and address associated flood protection needs shall be carried out at full Federal expense.

#### SENATE RESOLUTION 492—AMENDING THE MAJORITY PARTY'S MEMBERSHIP ON THE SELECT COMMITTEE ON ETHICS FOR THE REMAINDER OF THE 110TH CONGRESS

Mr. REID submitted the following resolution; which was considered and agreed to:

## S. RES. 492

*Resolved*, That Senate Resolution 27 (110th Congress) is amended, effective January 1, 2008, by striking all from "ETHICS:" through "72a-1f" and inserting "ETHICS: Mrs. Boxer (Chairman), Mr. Pryor, and Mr. Salazar"

## NOTICES OF HEARINGS

## 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 Tuesday, April 15, 2008, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.