

For further information, please contact Allen Stayman at (202) 224-7865 or Rosemarie Calabro at (202) 224-5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 2 p.m., in open session to receive testimony on the situation in Iraq, progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation, the future U.S. military presence in Iraq, and the situation in Afghanistan.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 10, 2008, at 10 a.m. to conduct a hearing entitled "Turmoil in U.S. Credit Markets: Examining Proposals to Mitigate Foreclosures and Restore Liquidity to the Mortgage Markets."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 9 a.m., in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, "Hearing on the Nomination of David R. Hill to be Assistant Administrator (General Counsel) for the Environmental Protection Agency."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on

Finance be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Identity Theft: Who's Got Your Number?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 9:30 a.m., to hold a hearing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Climate Change: A Challenge for Public Health" on Thursday, April 10, 2008.

The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, April 10, 2008, at 2 p.m., to consider the nominations of the Honorable Andrew M. Saul, the Honorable Alejandro M. Sanchez, the Honorable Gordon J. Whiting to be Members, Federal Retirement Thrift Investment Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DODD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 10, 2008, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Karl Cordova, who is a Bevinetto Fellow working with our staff on the Energy and Natural Resources Committee, be granted the privilege of the floor for the remainder of the debate on S. 2739.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent that a member of my staff, Jack Wells, be granted the privileges of the floor during this discussion.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SPECTER. I ask unanimous consent that two law clerks from Senator CORNYN's staff, Alana Hake and Ashley Huff, be granted the privilege of the floor for the remainder of this week—which may not be too long, hopefully.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAUMATIC BRAIN INJURY ACT OF 2008

Mr. SALAZAR. Mr. President, I ask that the Chair lay before the Senate a message from the House with respect to S. 793.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

S. 793

Resolved, That the bill from the Senate (S. 793) entitled "An Act to provide for the expansion and improvement of traumatic brain injury programs", do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Traumatic Brain Injury Act of 2008".

SEC. 2. CONFORMING AMENDMENTS RELATING TO RESTRUCTURING.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) by redesignating the section 393B (42 U.S.C. 280b-1c) relating to the use of allotments for rape prevention education, as section 393A and moving such section so that it follows section 393;

(2) by redesignating existing section 393A (42 U.S.C. 280b-1b) relating to prevention of traumatic brain injury, as section 393B; and

(3) by redesignating the section 393B (42 U.S.C. 280b-1d) relating to traumatic brain injury registries, as section 393C.

SEC. 3. TRAUMATIC BRAIN INJURY PROGRAMS OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) PREVENTION OF TRAUMATIC BRAIN INJURY.—Clause (ii) of section 393B(b)(3)(A) of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b-1b) is amended by striking "from hospitals and trauma centers" and inserting "from hospitals and emergency departments".

(b) NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY SURVEILLANCE AND REGISTRIES.—Section 393C of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b et seq.) is amended—

(1) in the section heading, by inserting "SURVEILLANCE AND" after "NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY"; and

(2) in subsection (a), in the matter preceding paragraph (1), by striking "may make grants" and all that follows through "to collect data concerning—" and inserting "may make grants to States or their designees to develop or operate the State's traumatic brain injury surveillance system or registry to determine the incidence and prevalence of traumatic brain injury and related disability, to ensure the uniformity of reporting under such system or registry, to link individuals with traumatic brain injury to services and supports, and to link such individuals with academic institutions to conduct applied research that will support the development of

such surveillance systems and registries as may be necessary. A surveillance system or registry under this section shall provide for the collection of data concerning—”.

(c) **REPORT.**—Section 393C of the Public Health Service Act (as so redesignated) is amended by adding at the end the following:

“(b) Not later than 18 months after the date of enactment of the Traumatic Brain Injury Act of 2008, the Secretary, acting through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health and in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall submit to the relevant committees of Congress a report that contains the findings derived from an evaluation concerning activities and procedures that can be implemented by the Centers for Disease Control and Prevention to improve the collection and dissemination of compatible epidemiological studies on the incidence and prevalence of traumatic brain injury in individuals who were formerly in the military. The report shall include recommendations on the manner in which such agencies can further collaborate on the development and improvement of traumatic brain injury diagnostic tools and treatments.”.

SEC. 4. STUDY ON TRAUMATIC BRAIN INJURY.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393C, as so redesignated, the following:

“SEC. 393C–1. STUDY ON TRAUMATIC BRAIN INJURY.

“(a) **STUDY.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention with respect to paragraph (1) and in consultation with the Director of the National Institutes of Health and other appropriate entities with respect to paragraphs (2), (3), and (4), may conduct a study with respect to traumatic brain injury for the purpose of carrying out the following:

“(1) In collaboration with appropriate State and local health-related agencies—

“(A) determining the incidence of traumatic brain injury and prevalence of traumatic brain injury related disability and the clinical aspects of the disability in all age groups and racial and ethnic minority groups in the general population of the United States, including institutional settings, such as nursing homes, correctional facilities, psychiatric hospitals, child care facilities, and residential institutes for people with developmental disabilities; and

“(B) reporting national trends in traumatic brain injury.

“(2) Identifying common therapeutic interventions which are used for the rehabilitation of individuals with such injuries, and, subject to the availability of information, including an analysis of—

“(A) the effectiveness of each such intervention in improving the functioning, including return to work or school and community participation, of individuals with brain injuries;

“(B) the comparative effectiveness of interventions employed in the course of rehabilitation of individuals with brain injuries to achieve the same or similar clinical outcome; and

“(C) the adequacy of existing measures of outcomes and knowledge of factors influencing differential outcomes.

“(3) Identifying interventions and therapies that can prevent or remediate the development of secondary neurologic conditions related to traumatic brain injury.

“(4) Developing practice guidelines for the rehabilitation of traumatic brain injury at such time as appropriate scientific research becomes available.

“(b) **DATES CERTAIN FOR REPORTS.**—If the study is conducted under subsection (a), the Secretary shall, not later than 3 years after the date of the enactment of the Traumatic Brain Injury Act of 2008, submit to Congress a report

describing findings made as a result of carrying out such subsection (a).

“(c) **DEFINITION.**—For purposes of this section, the term ‘traumatic brain injury’ means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma including near drowning. The Secretary may revise the definition of such term as the Secretary determines necessary.”.

SEC. 5. TRAUMATIC BRAIN INJURY PROGRAMS OF THE NATIONAL INSTITUTES OF HEALTH.

Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended—

(1) in subsection (b)(2), by striking “Labor and Human Resources” and inserting “Health, Education, Labor, and Pensions”;

(2) in subparagraph (D) of subsection (d)(4), by striking “head brain injury” and inserting “brain injury”; and

(3) in subsection (i), by inserting “, and such sums as may be necessary for each of the fiscal years 2009 through 2012” before the period at the end.

SEC. 6. TRAUMATIC BRAIN INJURY PROGRAMS OF THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) **STATE GRANTS FOR DEMONSTRATION PROJECTS REGARDING TRAUMATIC BRAIN INJURY.**—Section 1252 of the Public Health Service Act (42 U.S.C. 300d–52) is amended—

(1) in subsection (a)—

(A) by striking “may make grants to States” and inserting “may make grants to States and American Indian consortia”; and

(B) by striking “health and other services” and inserting “rehabilitation and other services”;

(2) in subsection (b)—

(A) in paragraphs (1), (3)(A)(i), (3)(A)(iii), and (3)(A)(iv), by striking the term “State” each place such term appears and inserting the term “State or American Indian consortium”; and

(B) in paragraph (2), by striking “recommendations to the State” and inserting “recommendations to the State or American Indian consortium”;

(3) in subsection (c)(1), by striking the term “State” each place such term appears and inserting “State or American Indian consortium”;

(4) in subsection (e), by striking “A State that received” and all that follows through the period and inserting “A State or American Indian consortium that received a grant under this section prior to the date of the enactment of the Traumatic Brain Injury Act of 2008 may complete the activities funded by the grant.”;

(5) in subsection (f)—

(A) in the subsection heading, by inserting “AND AMERICAN INDIAN CONSORTIUM” after “STATE”;

(B) in paragraph (1) in the matter preceding subparagraph (A), paragraph (1)(E), paragraph (2)(A), paragraph (2)(B), paragraph (3) in the matter preceding subparagraph (A), paragraph (3)(E), and paragraph (3)(F), by striking the term “State” each place such term appears and inserting “State or American Indian consortium”; and

(C) in clause (ii) of paragraph (1)(A), by striking “children and other individuals” and inserting “children, youth, and adults”;

(6) in subsection (h)—

(A) by striking “Not later than 2 years after the date of the enactment of this section, the Secretary” and inserting “Not less than biennially, the Secretary”;

(B) by striking “Commerce of the House of Representatives, and to the Committee on Labor and Human Resources” and inserting “Energy and Commerce of the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions”; and

(C) by inserting “and section 1253” after “programs established under this section.”;

(7) by amending subsection (i) to read as follows:

“(i) **DEFINITIONS.**—For purposes of this section:

“(1) The terms ‘American Indian consortium’ and ‘State’ have the meanings given to those terms in section 1253.

“(2) The term ‘traumatic brain injury’ means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma. The Secretary may revise the definition of such term as the Secretary determines necessary, after consultation with States and other appropriate public or nonprofit private entities.”; and

(8) in subsection (j), by inserting “, and such sums as may be necessary for each of the fiscal years 2009 through 2012” before the period.

(b) **STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.**—Section 1253 of the Public Health Service Act (42 U.S.C. 300d–53) is amended—

(1) in subsections (d) and (e), by striking the term “subsection (i)” each place such term appears and inserting “subsection (l)”;

(2) in subsection (g), by inserting “each fiscal year not later than October 1,” before “the Administrator shall pay”;

(3) by redesignating subsections (i) and (j) as subsections (l) and (m), respectively;

(4) by inserting after subsection (h) the following:

“(i) **DATA COLLECTION.**—The Administrator of the Health Resources and Services Administration and the Commissioner of the Administration on Developmental Disabilities shall enter into an agreement to coordinate the collection of data by the Administrator and the Commissioner regarding protection and advocacy services.

“(j) **TRAINING AND TECHNICAL ASSISTANCE.**—

“(1) **GRANTS.**—For any fiscal year for which the amount appropriated to carry out this section is \$6,000,000 or greater, the Administrator shall use 2 percent of such amount to make a grant to an eligible national association for providing for training and technical assistance to protection and advocacy systems.

“(2) **DEFINITION.**—In this subsection, the term ‘eligible national association’ means a national association with demonstrated experience in providing training and technical assistance to protection and advocacy systems.

“(k) **SYSTEM AUTHORITY.**—In providing services under this section, a protection and advocacy system shall have the same authorities, including access to records, as such system would have for purposes of providing services under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.”; and

(5) in subsection (l) (as redesignated by this subsection) by striking “2002 through 2005” and inserting “2009 through 2012”.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Senate concur in the House amendment, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, today, Congress took a major step toward making a remarkable difference in the lives of some of our Nation’s most deserving citizens: our soldiers and our children with brain injuries.

I commend our colleagues, Congressmen PASCRELL and PLATTS, as well as my friend and cosponsor in the Senate, Senator HATCH, on all they have done to achieve passage of this legislation. It is an important and timely bill that helps an especially deserving group of people.

Traumatic brain injuries have become the signature wound of the war in Iraq. Up to two-thirds of our wounded soldiers may have suffered such injuries.

In the civilian population here at home, an unacceptably large number of children from birth to age 14 experience traumatic brain injuries approximately 475,000 a year and some of the most frequent of these injuries are to children under the age of 5. In Massachusetts alone, more than 40,000 individuals experience these injuries each year.

As a result of these injuries, over 5.3 million Americans are now living with a permanent disability. Today, we have taken another step toward ensuring that these citizens and their families will receive the best services we can provide.

The legislation reauthorizes grants that assist States, territories, and the District of Columbia in establishing and expanding coordinated systems of community-based services and supports for persons with such injuries.

The legislation also reauthorizes an important provision, the Protection and Advocacy for Individuals with Traumatic Brain Injury Program. This program, enacted by Congress in 2000, has become essential because persons with these injuries have an array of needs beyond treatment and health care. Protection and advocacy services include assistance in returning to work, finding a place to live, obtaining supports and services such as attendant care and assistive technology, and obtaining appropriate mental health, substance abuse, and rehabilitation services.

Often these persons especially our returning veterans must remain in extremely expensive institutions far longer than necessary, because the community-based supports and services they need are not available, even though they can lead to reduced government expenditures, increased productivity, greater independence and community involvement. Those who provide such assistance must have spe-

cial skills, and their work is often time-intensive.

The legislation also allocates funds for CDC programs that provide important information and data on injury prevention of these injuries. A recent Institute of Medicine report demonstrated that these programs work. Their benefit is obvious, and we must do all we can to expand this appropriation in the years ahead to meet the urgent and growing need for this assistance.

A recent report by the Institute of Medicine calls the current TBI programs an "overall success." It states that "there is considerable value in providing funding," and "it is worrisome that the modestly budgeted TBI Program continues to be vulnerable to budget cuts."

Current estimates show that the Federal Government spends less than \$3 per brain injury survivor on research and services. As the IOM study suggests, this program must be able to expand, so that each State will have the resources needed to maintain vital services and advocacy for the large number of Americans who sustain such injuries each year.

Enactment of this bipartisan legislation will bring us a giant step closer to strengthening these vital programs for these deserving individuals and their families.

DISCHARGE AND REFERRAL—H.R. 123

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged of H.R. 123, an act to authorize appropriations for the San Gabriel Basin Restoration Fund, and that it then be referred to the Energy and Natural Resources Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, APRIL 14, 2008

Mr. SALAZAR. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand adjourned until 2 p.m., Monday, April 14; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for use later in the day, the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each; and that following morning business, the Senate resume the motion to proceed to Calendar No. 608, H.R. 1195, the highway technical corrections bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SALAZAR. Mr. President, at 5:30 p.m., on Monday, the Senate will proceed to vote on the motion to invoke cloture on the motion to proceed to the highway technical corrections bill.

ADJOURNMENT UNTIL MONDAY, APRIL 14, 2008, AT 2 P.M.

Mr. SALAZAR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:55 p.m., adjourned until Monday, April 14, 2008, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, April 10, 2008:

THE JUDICIARY

BRIAN STACY MILLER, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS.

JAMES RANDAL HALL, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA.

JOHN A. MENDEZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA.

STANLEY THOMAS ANDERSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

CATHARINA HAYNES, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.