

(3) in subsection (c)—
 (A) in paragraph (1)(B)—
 (i) in the matter preceding clause (i), by striking “(a)(1)(B)” and inserting “(a)(1)(B) or (a)(1)(C)”;
 (ii) in clause (i), by striking “program to be improved” and inserting “program to be improved or maintained”; and
 (iii) in clause (iv), by striking “public health” and inserting “public health or public safety”;
 (B) in paragraph (3)—
 (i) by striking “If a State that submits” and inserting the following:
 “(A) IN GENERAL.—If a State that submits”;
 (ii) by inserting before the period at the end “and include timelines for full implementation of such interoperability”; and
 (iii) by adding at the end the following:
 “(B) MONITORING OF EFFORTS.—The Secretary shall monitor State efforts to achieve interoperability, as described in subparagraph (A).”;
 (C) in paragraph (5)—
 (i) by striking “implement or improve” and inserting “establish, improve, or maintain”; and
 (ii) by adding at the end the following:
 “The Secretary shall redistribute any funds that are so returned among the remaining grantees under this section in accordance with the formula described in subsection (a)(2)(B).”;
 (4) in the matter preceding paragraph (1) in subsection (d), by striking “In implementing or improving” all that follows through “with the following:” and inserting “In establishing, improving, or maintaining a controlled substance monitoring program under this section, a State shall comply, or with respect to a State that applies for a grant under subsection (a)(1)(B) or (C) submit to the Secretary for approval a statement of why such compliance is not feasible and a plan for bringing the State into compliance, with the following:”;
 (5) in subsections (e), (f)(1), and (g), by striking “implementing or improving” each place it appears and inserting “establishing, improving, or maintaining”;
 (6) in subsection (f)—
 (A) in paragraph (1)(B) by striking “misuse of a schedule II, III, or IV substance” and inserting “misuse of a controlled substance included in schedule II, III, or IV of section 202(c) of the Controlled Substance Act”; and
 (B) add at the end the following:
 “(3) EVALUATION AND REPORTING.—Subject to subsection (g), a State receiving a grant under subsection (a) shall provide the Secretary with aggregate data and other information determined by the Secretary to be necessary to enable the Secretary—
 “(A) to evaluate the success of the State’s program in achieving its purposes; or
 “(B) to prepare and submit the report to Congress required by subsection (k)(2).
 “(4) RESEARCH BY OTHER ENTITIES.—A department, program, or administration receiving nonidentifiable information under paragraph (1)(D) may make such information available to other entities for research purposes.”;
 (7) by redesignating subsections (h) through (n) as subsections (i) through (o), respectively;
 (8) in subsections (c)(1)(A)(iv) and (d)(4), by striking “subsection (h)” each place it appears and inserting “subsection (i)”;
 (9) by inserting after subsection (g) the following:
 “(h) EDUCATION AND ACCESS TO THE MONITORING SYSTEM.—A State receiving a grant under subsection (a) shall take steps to—
 “(1) facilitate prescriber use of the State’s controlled substance monitoring system; and

“(2) educate prescribers on the benefits of the system both to them and society.”;

(10) in subsection (m)(1), as redesignated, by striking “establishment, implementation, or improvement” and inserting “establishment, improvement, or maintenance”;

(11) in subsection (n)(8), as redesignated, by striking “and the District of Columbia” and inserting “, the District of Columbia, and any commonwealth or territory of the United States”; and

(12) by amending subsection (o), as redesignated, to read as follows:

“(o) AUTHORIZATION OF APPROPRIATION.—To carry out this section, there are authorized to be appropriated \$15,000,000 for fiscal year 2011 and \$10,000,000 for each of fiscal years 2012 through 2015.”.

SEC. 4. AMENDMENTS TO TITLE 38.

(a) EXCEPTION WITH RESPECT TO CONFIDENTIAL NATURE OF CLAIMS.—Section 5701 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(1) Under regulations the Secretary shall prescribe, the Secretary may disclose information about a veteran or the dependant of a veteran to a State controlled substance monitoring program, including a program approved by the Secretary of Health and Human Services under section 3990 of the Public Health Service Act (42 U.S.C. 280g-3), to the extent necessary to prevent misuse and diversion of prescription medicines.”.

(b) EXCEPTION WITH RESPECT TO CONFIDENTIALITY OF CERTAIN MEDICAL RECORDS.—Section 7332(b)(2) of such title is amended by adding at the end the following new subparagraph:

“(G) To a State controlled substance monitoring program, including a program approved by the Secretary of Health and Human Services under section 3990 of the Public Health Service Act (42 U.S.C. 280g-3), to the extent necessary to prevent misuse and diversion of prescription medicines.”.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the participation of the Department of Veterans Affairs in State controlled substance monitoring programs, including programs approved by the Secretary of Health and Human Services under section 3990 of the Public Health Service Act (42 U.S.C. 280g-3).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A summary of the activities of the Department of Veterans Affairs relating to programs described in paragraph (1).

(B) A list of the programs described in paragraph (1) in which the Department is participating.

(C) A description of how the Secretary determines which programs described in paragraph (1) in which to participate.

(D) The status of the regulations, if any, prescribed by the Secretary under section 5701(1) of title 38, United States Code, as added by subsection (a) of this section.

Mr. DODD. Mr. President, I rise today in support of reauthorization of the National All Schedules Prescription Electronic Drug Reporting Act, NASPER, program critical to combating the abuse of prescription drugs in our Nation. I am proud to once again join my colleagues Senators DICK DURBIN, JEFF SESSIONS, and SHERROD BROWN on this important legislation which would reauthorize the NASPER program.

In 2008, over 15 million Americans abused prescription drugs and nearly 2

million of those Americans were between the ages of 12 and 17. Further, the National Institute on Drug Abuse at the National Institutes of Health found that last year more than 1 in 10 high school seniors used a narcotic for nonmedical purposes. These statistics are simply unacceptable. We must do more to address the issue of prescription drug abuse in this country.

When used under the supervision of a medical professional prescription drugs can be life saving but when they are abused they can become life-threatening. NASPER will help prevent unnecessary deaths by allowing credentialed professionals access to key information regarding prescriptions for many controlled substances. This access will help prevent doctor shopping and will help health professionals to more closely monitor the prescriptions being issued to their patients.

NASPER is a valuable tool available to states to help detect and prevent abuse of prescription drugs. Reauthorization of this program will allow states to establish, maintain, and grow their own electronic prescription drug monitoring programs. Beyond this it will help states establish linkages to surrounding states so that information can be more easily shared, making doctor shopping across state lines more difficult.

I am proud of the work that is going on in my own state of Connecticut around this issue. Our Drug Control Division within the Department of Consumer Protection has worked tirelessly to build a successful prescription drug monitoring program. This program has helped to not only prevent abuse of prescription drugs but it has helped to detect and prevent abuse of critical programs such as Medicare and Medicaid. In one case, an investigation of a pharmacist fraudulently billing Medicaid and Medicare resulted in a settlement with the government for \$340,000.

As you can see NASPER is an important tool we cannot afford to lose and I urge my colleagues to join me in supporting this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 579—HONORING THE LIFE OF MANUTE BOL AND EXPRESSING THE CONDOLENCES OF THE SENATE ON HIS PASSING

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

S. RES. 579

Whereas Manute Bol was born the son of a Dinka tribal chief in Sudan, and was given the name “Manute”, which means “special blessing”;

Whereas Manute Bol traveled to the United States in 1983 and played college basketball at the University of Bridgeport during the 1984-1985 season;

Whereas Manute Bol began his National Basketball Association (NBA) career with the Washington Bullets in 1985, setting the rookie shot-blocking record;

Whereas Manute Bol played in the NBA for 10 years, setting numerous shot-blocking records;

Whereas, after beginning his career in the NBA, Manute Bol used his fame and fortune to raise funding and awareness for the people of Sudan;

Whereas Manute Bol was admitted to the United States as a religious refugee and lost over 250 members of his extended family to a civil war rife with religious tensions, but nevertheless spent his life working for reconciliation between Christians and Muslims in Sudan;

Whereas Manute Bol's last project to foster reconciliation was to build 41 schools for Christians and Muslims to learn and live together in the spirit of reconciliation;

Whereas Manute Bol constantly put himself in danger to bring peace and stability to Sudan, including by flying into war zones and visiting refugee camps that were targeted for aerial attack;

Whereas, on Manute Bol's last humanitarian visit to Sudan, the President of Southern Sudan, Salva Kiir, requested that Manute Bol extend his visit to make appearances at Sudan's national election and use his influence to counter corruption, which ultimately led to the deterioration of his health and his sudden death;

Whereas Manute Bol advocated for human rights in Sudan by appearing before Congress and lobbying Members of Congress, thus positively influencing United States foreign policy on Sudan;

Whereas, after Manute Bol retired, he resided in West Hartford, Connecticut and Olathe, Kansas;

Whereas Manute Bol died at the age of 47 on June 19, 2010; and

Whereas Manute Bol's perseverance in his advocacy for Sudan affected the lives of thousands, and possibly millions, of people in Sudan: Now, therefore, be it

Resolved, That the Senate—

(1) expresses profound sorrow at the death of Manute Bol;

(2) conveys its condolences to the family, friends, and colleagues of Manute Bol;

(3) expresses gratitude to Manute Bol for his passion and determination in raising awareness of human rights abuses, and his dedication to bringing peace to Sudan; and

(4) encourages the National Collegiate Athletic Association (NCAA) and the National Basketball Association (NBA) to pursue exhibition games with a Sudanese basketball team to increase awareness of the political and humanitarian situation in Sudan, with proceeds from these games donated toward the construction of reconciliation schools in Sudan, as proposed by Manute Bol.

SENATE RESOLUTION 580—COMMEMORATING THE LIFE AND WORK OF GEORGE M. STEINBRENNER OF THE STATE OF NEW YORK

Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. NELSON of Florida, and Mr. LEMIEUX) submitted the following resolution; which was considered and agreed to:

S. RES. 580

Whereas George M. Steinbrenner was born on July 4, 1930, in Rocky River, Ohio, and died on July 13, 2010, at the age of 80;

Whereas George M. Steinbrenner served the United States for 2 years in the United States Air Force;

Whereas George M. Steinbrenner owned the American Ship Building Company, the dominant shipbuilding company in the Great Lakes region during the existence of the company;

Whereas, since 1973, George M. Steinbrenner was the principal owner of the New York Yankees Major League Baseball franchise;

Whereas, under the wise and astute leadership of George M. Steinbrenner, the New York Yankees won 7 World Series Championships and 11 American League Championships;

Whereas the New York Yankees, under the leadership of George M. Steinbrenner, brought New Yorkers and New York Yankee fans across the United States countless hours of joy rooting for the consistently competitive teams that Mr. Steinbrenner helped assemble;

Whereas George M. Steinbrenner was the longest-tenured owner in Major League Baseball and became 1 of the most prominent personalities in Major League Baseball;

Whereas George M. Steinbrenner helped many civic causes, including the United States Olympic Committee;

Whereas George M. Steinbrenner was honored as both an "Outstanding New Yorker" and as the "Citizen of the Year" of Tampa, Florida;

Whereas, under the leadership of George M. Steinbrenner, the New York Yankees organization created a premier Spring Training facility, and developed some of the greatest talent in Major League Baseball, in Tampa, Florida;

Whereas "Legends Field", the Spring Training facility of the New York Yankees in Tampa, Florida, was renamed "Steinbrenner Field" in March 2008 in honor of Mr. Steinbrenner by the Hillsborough County Commission and the Tampa City Council; and

Whereas George M. Steinbrenner helped to grow the game of baseball into a global sport, with Major League Baseball games now played in Japan and Puerto Rico, and Major League Baseball players originating from over 20 countries: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the life and work of George M. Steinbrenner;

(2) conveys the condolences of the Senate to the family, friends, and colleagues of George M. Steinbrenner;

(3) recognizes the continuing contributions of George M. Steinbrenner to the State of New York, the State of Florida, and Major League Baseball; and

(4) expresses gratitude to George M. Steinbrenner for his significant contributions to the State of New York, the State of Florida, and the New York Yankees.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4455. Mr. JOHANNIS (for himself, Mr. BARRASSO, Mr. RISCH, Mr. INHOFE, Mr. ENSIGN, and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table.

SA 4456. Mr. DEMINT (for himself and Mr. VITTER) submitted an amendment intended

to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4457. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4458. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4459. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4460. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4461. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4462. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4463. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4464. Mr. DEMINT (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4455. Mr. JOHANNIS (for himself, Mr. BARRASSO, Mr. RISCH, Mr. INHOFE, Mr. ENSIGN, and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

PART V—OTHER PROVISIONS

SEC. 2051. REPEAL OF EXPANSION OF INFORMATION REPORTING REQUIREMENTS.

Section 9006 of the Patient Protection and Affordable Care Act, and the amendments made thereby, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

SA 4456. Mr. DEMINT (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program