

state ratification of the Fort Belknap Water Rights Compact. I look forward to assisting the parties in moving this Compact over the next hurdle—congressional authorization.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 468—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO CHILDHOOD STROKE AND RECOGNIZING MAY AS “NATIONAL PEDIATRIC STROKE AWARENESS MONTH”

Mr. BLUMENTHAL (for himself, Mr. CASEY, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 468

Whereas a stroke, also known as a cerebrovascular accident, is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage or even death if not promptly diagnosed and treated;

Whereas stroke occurs in approximately 1 out of every 4,000 live births, and the risk of stroke from birth through age 18 is nearly 11 out of every 100,000 children per year;

Whereas an individual can have a stroke before birth;

Whereas stroke is among the top 10 causes of death for children in the United States;

Whereas between 20 percent and 40 percent of children who suffer a stroke die as a result;

Whereas stroke recurs in 20 percent of children who have experienced a stroke;

Whereas the death rate for children who experience a stroke before the age of 1 year is the highest out of all age groups;

Whereas the average time from onset of symptoms to diagnosis of stroke is 24 hours, putting many affected children outside the window of 3 hours for the most successful treatment;

Whereas between 50 and 85 percent of infants and children who have a pediatric stroke will have serious, permanent neurological disabilities, including paralysis, seizures, speech and vision problems, and attention, learning, and behavioral difficulties;

Whereas those disabilities may require ongoing physical therapy and surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas very little is known about the cause, treatment, and prevention of pediatric stroke;

Whereas medical research is the only means by which the citizens of the United States can identify and develop effective treatment and prevention strategies for pediatric stroke; and

Whereas early diagnosis and treatment of pediatric stroke greatly improves the chances that the affected child will recover and not experience a recurrence: Now, therefore, be it

*Resolved*, That the Senate—

(1) acknowledges May as “National Pediatric Stroke Awareness Month”;

(2) urges the people of the United States to support the efforts, programs, services, and advocacy of organizations that work to enhance public awareness of childhood stroke;

(3) supports the work of the National Institutes of Health in pursuit of medical progress on the matter of pediatric stroke; and

(4) urges continued coordination and cooperation between government, researchers, families, and the public to improve treatments and prognoses for children who suffer strokes.

#### SENATE RESOLUTION 469—HONORING THE ENTREPRENEURIAL SPIRIT OF SMALL BUSINESS CONCERNS IN THE UNITED STATES DURING NATIONAL SMALL BUSINESS WEEK, WHICH BEGINS ON MAY 20, 2012

Ms. LANDRIEU (for herself, Ms. SNOWE, Mr. PRYOR, Mr. LIEBERMAN, Mr. ENZI, Mr. KERRY, Mr. BROWN of Massachusetts, Ms. CANTWELL, Ms. AYOTTE, Mr. RISCH, Mr. CARDIN, Mrs. HAGAN, Mr. RUBIO, and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 469

Whereas the approximately 27,500,000 small business concerns in the United States are the driving force behind the Nation's economy, creating 2 out of every 3 new jobs and generating more than 50 percent of the Nation's non-farm gross domestic product;

Whereas small businesses are the driving force behind the economic recovery of the United States;

Whereas small businesses represent 99.7 percent of employer firms in the United States;

Whereas small business concerns are the Nation's innovators, serving to advance technology and productivity;

Whereas small business concerns represent 97.5 percent of all exporters and produce 31 percent of exported goods;

Whereas Congress established the Small Business Administration in 1953 to aid, counsel, assist, and protect the interests of small business concerns in order to preserve free and competitive enterprise, to ensure that a fair proportion of the total Federal Government purchases, contracts, and subcontracts for property and services are placed with small business concerns, to ensure that a fair proportion of the total sales of government property are made to such small business concerns, and to maintain and strengthen the overall economy of the United States;

Whereas every year since 1963, the President has designated a “National Small Business Week” to recognize the contributions of small businesses to the economic well-being of the United States;

Whereas in 2012, National Small Business Week will honor the estimated 27,200,000 small businesses in the United States;

Whereas the Small Business Administration has helped small business concerns by providing access to critical lending opportunities, protecting small business concerns from excessive Federal regulatory enforcement, helping to ensure full and open competition for government contracts, and improving the economic environment in which small business concerns compete;

Whereas for more than 50 years, the Small Business Administration has helped millions of entrepreneurs achieve the American dream of owning a small business, and has played a key role in fostering economic growth; and

Whereas the President has designated the week beginning May 20, 2012, as “National Small Business Week”: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the entrepreneurial spirit of small business concerns in the United States during National Small Business Week, which begins on May 20, 2012;

(2) applauds the efforts and achievements of the owners and employees of small business concerns, whose hard work and commitment to excellence have made such small business concerns a key part of the economic vitality of the United States;

(3) recognizes the work of the Small Business Administration and its resource partners in providing assistance to entrepreneurs and small business concerns; and

(4) recognizes the importance of ensuring that—

(A) guaranteed loans, including microloans and microloan technical assistance, for start-up and growing small business concerns, and venture capital, are made available to all qualified small business concerns;

(B) the management assistance programs delivered by resource partners on behalf of the Small Business Administration, such as Small Business Development Centers, Women's Business Centers, and the Service Corps of Retired Executives, are provided with the Federal resources necessary to provide invaluable counseling services to entrepreneurs in the United States;

(C) the Small Business Administration continues to provide timely and efficient disaster assistance so that small businesses in areas struck by natural or manmade disasters can quickly return to business to keep local economies alive in the aftermath of such disasters;

(D) affordable broadband Internet access is available to all people in the United States, particularly people in rural and underserved communities, so that small businesses can use the Internet to make their operations more globally competitive while boosting local economies;

(E) regulatory relief is provided to small businesses through the reduction of duplicative or unnecessary regulatory requirements that increase costs for small businesses; and

(F) leveling the playing field for contracting opportunities remains a primary focus, so that small businesses, particularly minority-owned small businesses, can compete for and win more of the \$400,000,000,000 in contracts that the Federal Government enters into each year for goods and services.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 2113. Mr. INHOFE submitted an amendment intended to be proposed by him to the resolution S. Res. 466, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko; which was referred to the Committee on Foreign Relations.

SA 2114. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table.

SA 2115. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2116. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2117. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2118. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2119. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2120. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2121. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2122. Mr. HARKIN (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2123. Mr. REID (for Mr. JOHNSON of South Dakota (for himself and Mr. SHELBY)) proposed an amendment to the bill H.R. 1905, to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes.

SA 2124. Mr. REID (for Mr. JOHNSON of South Dakota (for himself and Mr. SHELBY)) proposed an amendment to amendment SA 2123 proposed by Mr. REID (for Mr. JOHNSON of South Dakota (for himself and Mr. SHELBY)) to the bill H.R. 1905, supra.

SA 2125. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table.

SA 2126. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2113.** Mr. INHOFE submitted an amendment intended to be proposed by him to the resolution S. Res. 466, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko; which was referred to the Committee on Foreign Relations; as follows:

In the preamble, strike the third and fourth whereas clauses and insert the following:

Whereas, as a result of the electoral fraud by which Prime Minister Viktor Yanukovich was declared the winner of the 2004 presidential election, the citizens of Ukraine organized a series of protests, strikes, and sit-ins, which came to be known as "The Orange Revolution";

Whereas the Orange Revolution, in concert with United States and international pressure, forced the Supreme Court of Ukraine to require an unprecedented second run-off election, which resulted in opposition leader Viktor Yushchenko defeating Mr. Yanukovich by a margin of 52 percent to 44 percent;

**SA 2114.** Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and

biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

#### **SEC. 11. SUBPOENA AUTHORITY.**

Section 702 (21 U.S.C. 372) is amended by adding at the end the following:

"(f)(1) The Secretary may conduct investigations as the Secretary deems necessary—

"(A) to carry out the authority of the Secretary under this Act or section 351 of the Public Health Service Act; or

"(B) to determine whether any person has engaged or is about to engage in any act that constitutes or will constitute a violation of this Act or such section 351.

"(2) For the purpose of any investigation conducted under paragraph (1), the Secretary may administer oaths and affirmations, subpoena witnesses, compel the attendance of such witnesses, take evidence, and require the production of any books, papers, documents, or other materials that are relevant to the investigation.

"(3)(A) In case of contumacy or refusal to obey a subpoena issued under paragraph (2), the district court of the United States for the judicial district in which such investigation or proceeding is conducted, or in which the subpoenaed person resides or conducts business, may issue an order requiring such person to appear before the Secretary, testify, or produce books, papers, documents, or other materials that are relevant to the investigation. All process in any such case may be served in the judicial district in which such person resides or may be found.

"(B) Any failure to obey an order issued under subparagraph (A) may be punished by the court as contempt of court."

**SA 2115.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

#### **SEC. 11. PROTECTIONS FOR THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE ACT AND THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.**

(a) COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE ACT.—Section 221(a) of the Public Health Service Act (42 U.S.C. 213a(a)) is amended by adding at the end the following:

"(18) Section 1034, Protected Communications; Prohibition of Retaliatory Personnel Actions."

(b) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Section 261 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3071(a)) is amended by adding at the end the following:

"(17) Section 1034, Protected Communications; Prohibition of Retaliatory Personnel Actions."

**SA 2116.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes;

which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

#### **SEC. 11. PROTECTIONS FOR THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE ACT.**

Section 221(a) of the Public Health Service Act (42 U.S.C. 213a(a)) is amended by adding at the end the following:

"(18) Section 1034, Protected Communications; Prohibition of Retaliatory Personnel Actions."

**SA 2117.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

#### **SEC. 11. PRACTITIONER EDUCATION.**

(a) EDUCATION REQUIREMENTS.—

(1) REGISTRATION CONSIDERATION.—Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended by inserting after paragraph (5) the following:

"(6) The applicant's compliance with the training requirements described in subsection (g)(3) during any previous period in which the applicant has been subject to such training requirements."

(2) TRAINING REQUIREMENTS.—Section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended by adding at the end the following:

"(3)(A) To be registered to prescribe or otherwise dispense methadone or other opioids, a practitioner described in paragraph (1) shall comply with the 16-hour training requirement of subparagraph (B) at least once during each 3-year period.

"(B) The training requirement of this subparagraph is that the practitioner has completed not less than 16 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) with respect to—

"(i) the treatment and management of opioid-dependent patients;

"(ii) pain management treatment guidelines; and

"(iii) early detection of opioid addiction, including through such methods as Screening, Brief Intervention, and Referral to Treatment (SBIRT),

that is provided by relevant professional societies, as determined by the Secretary."

(b) REQUIREMENTS FOR PARTICIPATION IN OPIOID TREATMENT PROGRAMS.—Effective July 1, 2013, a physician practicing in an opioid treatment program shall comply with the requirements of section 303(g)(3) of the Controlled Substances Act (as added by subsection (a)) with respect to required minimum training at least once during each 3-year period.

(c) DEFINITION.—In this section, the term "opioid treatment program" has the meaning given such term in section 8.2 of title 42, Code of Federal Regulations (or any successor regulation).

(d) FUNDING.—The Drug Enforcement Administration shall fund the enforcement of the requirements specified in section 303(g)(3) of the Controlled Substances Act (as added by subsection (a)) through the use of a portion of the licensing fees paid by controlled substance prescribers under the Controlled Substances Act (21 U.S.C. 801 et seq.).