

S. RES. 322

Whereas chronic obstructive pulmonary disease (referred to in this preamble as "COPD"), also known as chronic bronchitis and emphysema, is the third leading cause of death in the United States and is the only 1 of the top 5 causes of death with a rising prevalence and death rate;

Whereas COPD is a chronic and progressive disease that affects over 24,000,000 people in the United States, ½ of whom have not been properly diagnosed;

Whereas COPD claims the lives of more than 120,000 people of the United States each year, with a person dying every 4 minutes from COPD;

Whereas COPD is considered to be the second leading cause of disability in the United States;

Whereas in 2011 COPD cost the United States approximately \$49,900,000,000 per year;

Whereas the major risk factor for COPD is smoking and other risk factors include exposure to air pollution, industrial irritants, and burned biomass fuels;

Whereas COPD can also result from genetic conditions, such as alpha-1 antitrypsin deficiency;

Whereas many patients suffering with COPD are not diagnosed until they have reached an advanced stage of COPD;

Whereas a diagnostic test for COPD, known as spirometry, is available for office use, allowing early diagnosis of COPD;

Whereas the National Institutes of Health, Centers for Disease Control and Prevention, and the Department of Veterans Affairs play a critical role in advancing the prevention, diagnosis, treatment, and ultimately a cure for COPD;

Whereas primary care physicians are in a key position to provide optimal care to patients with COPD and need to be trained to diagnose and treat the disease;

Whereas individuals with COPD who are able to receive education from allied health professionals, such as respiratory therapists, have better health outcomes;

Whereas appropriately treating COPD with medication and health management can reduce hospital readmissions and costly exacerbations; and

Whereas increased public awareness, screening, early detection, and treatment of COPD are crucial in the prevention or slowing the progression of lung disease and can lead to reduced costs and better quality of life: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates November 2011 as "COPD Awareness Month";

(2) encourages all people of the United States to become more informed about chronic obstructive pulmonary disease (referred to in this resolution as "COPD") and get screened if they are at risk; and

(3) encourages further partnership between the Federal government and private entities to enhance patient education about COPD.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 945. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 946. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 947. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 948. Mr. COATS submitted an amendment intended to be proposed by him to the

bill H.R. 2354, supra; which was ordered to lie on the table.

SA 949. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 945. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

SEC. 1. None of the funds made available by this Act may be used by the Corps of Engineers to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations (or successor regulation).

SA 946. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 480, between lines 15 and 16, insert the following:

#### VIETNAM EDUCATION FOUNDATION

SEC. 70. (a) GRANTS AUTHORIZED.—The Secretary of State may award 1 or more grants, using a transparent and competitive selection process, to institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) and not-for-profit organizations in the United States engaged in promoting institutional innovation in Vietnamese higher education: *Provided*, That grant funds awarded under this subsection shall be used to support the establishment of 1 or more independent, not-for-profit academic institutions in Vietnam that meets standards comparable to those required for accreditation under section 101(a)(5) of the Higher Education Act of 1965, with graduate level programs in public policy, management, and related fields, that support the equitable and sustainable socioeconomic development of Vietnam, feature teaching and research components, promote the development of institutional capacity and innovation in Vietnam, operate according to core principles of good governance, and are autonomous: *Provided further*, That each institution of higher education and not-for-profit organization desiring a grant under this subsection shall submit an application to the Secretary of State at such time, in such manner, and accompanied by such information as the Secretary may reasonably require: *Provided further*, That the Secretary of State may use amounts from the Vietnam Debt Repayment Fund made available under section 207(c) of the Vietnam Education Foundation Act of 2000 (22 U.S.C. 2452 note) for grants authorized under this subsection: *Provided further*, That the Secretary of State shall submit an annual report to the appropriate congressional committees that summarizes the activities carried out under this subsection during the most recent fiscal year.

(b) TRANSFER OF FUNCTIONS AND ASSETS.—All functions and assets of the Vietnam Education Foundation, as of the day before the date of the enactment of this Act, are transferred to the Bureau of Educational and Cultural Affairs of the Department of State.

(c) USE OF FUNDS.—In addition to the purpose set forth in paragraph (2) of section

207(c) of the Vietnam Education Foundation Act of 2000 (22 U.S.C. 2452 note), during each of the fiscal years 2012 through 2018, the amounts deposited into the Vietnam Debt Repayment Fund pursuant to paragraph (1) of such section shall be made available by the Secretary of the Treasury, upon the request of the Secretary of State, to—

(1) institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), selected by the Secretary of State through a transparent and competitive process, for the purpose of supporting the establishment of 1 or more independent, not-for-profit academic institutions in Vietnam that meets standards comparable to those required for accreditation under section 101(a)(5) of the Higher Education Act of 1965, with graduate level programs in public policy, management, and related fields; and

(2) not-for-profit organizations in the United States, selected by the Secretary of State through a transparent and competitive process, for the purpose of supporting the establishment of a new, independent Vietnamese academic institution that meets standards comparable to those required for accreditation under section 101(a)(5) of the Higher Education Act of 1965.

SA 947. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In title III, at the end of the sections under the heading "GENERAL PROVISIONS—DEPARTMENT OF ENERGY", add the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Secretary of Energy to provide the cost of loan guarantees that, in any circumstances at the time of, or subsequent to, the issuance of a loan guarantee, make the Secretary subordinate to other financing.

SA 948. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In title III, at the end of the sections under the heading "GENERAL PROVISIONS—DEPARTMENT OF ENERGY", add the following:

SEC. \_\_\_\_\_. (a) None of the funds made available by this Act to carry out the Advanced Technology Vehicles Manufacturing Loan Program established under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) may be used by the Secretary to approve any loan for the design, manufacture, construction, or modification of any facility to produce advanced high-strength steel until the Inspector General completes and makes public the report described in subsection (b).

(b) The Inspector General shall—

(1) conduct an investigation of any conditional loan commitment issued by the Secretary for the design, manufacture, construction, or modification of any facility to produce advanced high-strength steel under the Advanced Technology Vehicles Manufacturing Loan Program; and

(2) not later than 180 days after the date of enactment of this Act, prepare a report that describes the results of the investigation conducted under paragraph (1).

(c) The report prepared under in subsection (b)(2) shall address the following issues:

(1) Whether the Secretary properly considered advanced high strength steel a “component” under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013).

(2) Whether the Secretary conducted a proper market analysis to determine what advanced high strength steel products were in the marketplace and in what volumes.

(3) Whether the Secretary estimated the current or future capacity for production of advanced high strength steel in the United States.

(4) Whether the Secretary estimated the future demand for advanced high strength steel from automakers.

(5) Whether it was proper for the Secretary to fund a nearly complete project for facilities already built.

(6) Whether the Secretary conducted a thorough jobs-impact analysis before issuing the conditional loan commitment, including an analysis of what jobs would be lost or redistributed from other companies that produce advanced high strength steel.

(7) Whether and to what extent the loan office was improperly influenced outside groups or the White House, including the Office of Management and Budget.

**SA 949.** Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division C, add the following:

SEC. 7088. (a) Congress makes the following findings:

(1) The decision by the membership of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to admit the Palestinian Authority as a full member state of the organization is counterproductive, harms efforts to reach a negotiated, lasting, and just peace in the Middle East, and is contrary to United States interests.

(2) The Palestinian Authority may use this vote as a precedent to pursue membership in other United Nations affiliated organizations, contrary to the best interests of those organizations and the Palestinians themselves.

(3) Palestinian statehood can emerge only from negotiations with Israel, not from actions by third parties, including the United Nations and its affiliated organizations.

(4) Existing United States law prohibits appropriation of funds for the United Nations or any specialized agency affiliated with the United Nations that grant full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood.

(5) The President does not have the discretion to identify alternative methods of providing funds to any United Nations agency that admits Palestine as a member state.

(b) None of the amounts appropriated or otherwise made available by this Act shall be obligated or expended in contravention of section 410 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 108 Stat. 454; 22 U.S.C. 287e note) or section 414 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 104 Stat. 70; 22 U.S.C. 287e note).

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nominations on the Secretary's desk in the Coast Guard; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### COAST GUARD

PN635 COAST GUARD nomination of Walter L. Ouzts, Jr., which was received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN749 COAST GUARD nomination of Kathleen A. Duignan, which was received by the Senate and appeared in the Congressional Record of July 5, 2011.

PN1021 COAST GUARD nomination of Gregory L. Parsons, which was received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1022 COAST GUARD nominations (17) beginning Michael B. Bee, and ending James W. Whitley, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1023 COAST GUARD nominations (78) beginning Paul Albertson, and ending Michael L. Woolard, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1024 COAST GUARD nominations (143) beginning Ricardo M. Alonso, and ending Torrence B. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1041 COAST GUARD nomination of Kenneth W. Megan, which was received by the Senate and appeared in the Congressional Record of October 12, 2011.

PN1042 COAST GUARD nomination of Jennifer A. Ketchum, which was received by the Senate and appeared in the Congressional Record of October 12, 2011.

PN1069 COAST GUARD nominations (290) beginning Alonzo D. Alday, and ending Peter J. Zauner, which nominations were received by the Senate and appeared in the Congressional Record of October 31, 2011.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### CROHN'S AND COLITIS AWARENESS WEEK

Mr. REID. I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 199, and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 199) supporting the goals and ideals of “Crohn's and Colitis Awareness Week.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this matter be printed in the RECORD.

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

The resolution (S. Res. 199) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 199

Whereas Crohn's disease and ulcerative colitis are serious, chronic inflammatory diseases of the gastrointestinal tract;

Whereas Crohn's disease and ulcerative colitis, collectively known as inflammatory bowel disease, afflict approximately 1,400,000 people in the United States, 30 percent of whom are diagnosed as children;

Whereas the cause of Crohn's disease and ulcerative colitis are unknown and no medical cure exists;

Whereas Crohn's disease and ulcerative colitis can affect anyone, at any age, and is being diagnosed with increased frequency in children;

Whereas Crohn's disease and ulcerative colitis patients are at high risk for developing colorectal cancer;

Whereas a lack of awareness among health professionals and the general public may contribute to the misdiagnosis and mismanagement of Crohn's disease and ulcerative colitis;

Whereas the annual direct cost of Crohn's disease and ulcerative colitis in the United States is estimated to be \$6,100,000,000;

Whereas the goals of “Crohn's and Colitis Awareness Week” are—

(1) to invite and encourage all people in the United States to join the effort to find a cure for Crohn's disease and ulcerative colitis;

(2) to engage in activities aimed at raising awareness of Crohn's disease and ulcerative colitis among the general public and health care providers; and

(3) to promote and support biomedical research needed to find better treatments and a cure for Crohn's disease and ulcerative colitis; and

Whereas the week of December 1, 2011, through December 7, 2011, has been designated “Crohn's and Colitis Awareness Week”: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of “Crohn's and Colitis Awareness Week”;

(2) encourages media organizations to participate in “Crohn's and Colitis Awareness Week” by helping to educate the general public about Crohn's disease and ulcerative colitis;

(3) recognizes all people in the United States living with Crohn's disease and ulcerative colitis and expresses appreciation to the family members and caregivers who support them; and

(4) commends the dedication of health care professionals and biomedical researchers who care for Crohn's disease and ulcerative