

S. 1356

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1356, a bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

S. 1394

At the request of Ms. STABENOW, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1394, a bill to amend the Internal Revenue Code of 1986, to exclude from gross income of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations.

S. 1451

At the request of Mr. WHITEHOUSE, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1451, a bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system.

S. 1455

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1455, a bill to provide for the establishment of a health information technology and privacy system.

S. 1471

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1471, a bill to provide for the voluntary development by States of qualifying best practices for health care and to encourage such voluntary development by amending titles XVIII and XIX of the Social Security Act to provide differential rates of payment favoring treatment provided consistent with qualifying best practices under the Medicare and Medicaid programs, and for other purposes.

S. 1482

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1482, a bill to amend part A of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct research on indicators of child well-being.

S. 1495

At the request of Mr. INOUE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1495, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on vessels operating in the dual United States domestic and foreign trades, and for other purposes.

S. 1604

At the request of Mrs. CLINTON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1604, a bill to increase the number of well-educated nurses, and for other purposes.

S. 1708

At the request of Mr. DODD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1708, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1760

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1760, a bill to amend the Public Health Service Act with respect to the Healthy Start Initiative.

S. 1782

At the request of Mr. FEINGOLD, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1782, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 1865

At the request of Mr. SCHUMER, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1865, a bill to provide for mandatory availability of life insurance that does not preclude future lawful travel, and for other purposes.

S. 2056

At the request of Mr. ROCKEFELLER, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2056, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 2063

At the request of Mr. CONRAD, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 2063, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.

S. 2064

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2064, a bill to fund comprehensive programs to ensure an adequate supply of nurses.

S. 2071

At the request of Mrs. FEINSTEIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2071, a bill to enhance the ability to combat methamphetamine.

S. 2077

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2077, a bill to establish a program to assure the safety of fresh produce intended for human consumption, and for other purposes.

S. 2128

At the request of Mr. SUNUNU, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from Nevada (Mr. ENSIGN) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 2128, a bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

S. 2134

At the request of Mr. ALEXANDER, the names of the Senator from Maine (Ms. COLLINS), the Senator from New York (Mrs. CLINTON), the Senator from Ohio (Mr. VOINOVICH), the Senator from Virginia (Mr. WEBB) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. 2134, a bill to require the Secretary of Defense to submit to Congress reports on the status of planning for the redeployment of the Armed Forces from Iraq and to require the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and appropriate senior officials of the Department of Defense to meet with Congress to brief Congress on matters contained in the reports.

S. J. RES. 4

At the request of Mr. BROWNBACK, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. J. Res. 4, a joint resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

S. RES. 106

At the request of Mr. DURBIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 106, a resolution calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

S. RES. 321

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. Res. 321, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JOHNSON (for himself, Ms. MURKOWSKI, Mr. BROWN, Mr. DURBIN, Ms. LANDRIEU, and Mrs. MURRAY):

S. 2141. A bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. JOHNSON. Mr. President, today I join Senators BROWN, DURBIN,

LANDRIEU, MURKOWSKI and MURRAY in introducing the Advancing FASD Research, Prevention, and Services Act. I thank them for joining me in this important effort to improve the surveillance, identification, and prevention of Fetal Alcohol Syndrome Disorders, or FASD.

During the course of my career, I have admired people who struggle with the affects of a Fetal Alcohol Spectrum Disorder and watched with deep respect as their families struggle to help them succeed. Through no fault of their own, these FASD-affected individuals face a lifetime of cognitive, physical, and emotional challenges, including severe learning disabilities, physical abnormalities, costly medical bills, and behavioral impairments. However, we have an opportunity to help people with an FASD overcome many of these challenges with appropriate health, education, judicial, and housing services. As with other disabilities, by investing a small amount of money, we can ensure that FASD-affected individuals have the resources they need to succeed in school, work and life.

Fetal Alcohol Spectrum Disorders are estimated to affect 1 in 100 live births, or more than 40,000 infants, each year. Researchers estimate that one percent of our population lives with an FASD, which is more than 3 million Americans. In my home State of South Dakota, approximately 7,819 individuals are suspected of having an FASD.

The costs of this completely preventable condition to our country are staggering. According to the University of South Dakota Sanford School of Medicine's Center for Disabilities, the lifetime cost for an individual with Fetal Alcohol Syndrome, the most severe of disorders in this spectrum, is over \$2 million. The annual cost of FASD to South Dakota, including medical treatment, special education services, and home and residential care, is estimated to be \$18 million. Nationally, the cost for these services will approach \$6 billion this year alone, but neither of these estimates include the economic costs of lost productivity.

While there is no known cure, FASD is entirely preventable, and this bill seeks a balance between directing federal resources to prevention activities and to services for individuals living with FASD and their families. This bill focuses provision of services in areas where FASD affected individuals are already receiving help. In South Dakota, more than 60 percent of people diagnosed with an FASD lived within a foster care home for some part of their lives. With that in mind, our bill works to train foster care workers and foster parents on how to best communicate with and serve children living with FASD.

Furthermore, it is estimated that 60 percent of individuals with FASD will spend some time in a correctional institution or mental health facility during their lives. Most individuals with

FASD will commit their first crime between the ages of 9 and 14. To that end, our bill will provide health care and judicial system workers with the resources they need to work with and understand FASD-affected individuals when they encounter them in health care settings or the court system.

All of these unfortunate statistics compel me to join with my colleagues to offer a comprehensive approach to preventing FASD, advancing research to learn more about FASD, and increasing provision of services to those living with FASD and their families. While we have increased awareness about the dangers of consuming alcohol during pregnancy, we clearly have much more work to do as we strive to reach the goal of eliminating the negative effects of prenatal alcohol exposure.

In my home State of South Dakota, we have had great successes in working on this issue. With the leadership of the health professionals at our esteemed universities, parents, and teachers, among countless others, we have made some important progress in addressing FASD. This legislation will bolster the efforts of these dedicated South Dakotans and many others across the country who are working hard to prevent FASD and support the children and families living with its consequences.

This bill will provide much needed support in the areas of research and prevention. This legislation requires the National Institutes of Health to develop a research agenda focusing on the most promising avenues research in diagnosis, intervention, and prevention, as well as factors that may mitigate the effects of fetal alcohol exposure.

This bill will also make available grants to federally qualified health centers to implement and evaluate programs to increase awareness and identification of FASD in those settings.

Participating health centers will be able to provide training to health care providers on identifying and educating women who are at risk for alcohol consumption during pregnancy and on screening children for FASD.

Another provision in this bill will create public awareness and education campaigns in at-risk areas in order to further the prevention of this disease. This bill will authorize the development and broadcast of national public service announcements to raise public awareness of the risks associated with alcohol consumption during pregnancy.

Recognizing that the consequences of FASD are not just health-related, the bill promotes prevention, intervention and services within the education and judicial systems. This legislation provides teachers with resources to educate and support children with FASD. The bill seeks to involve everyone who might encounter an FASD-affected person in the judicial system, including judges, attorneys, probation officers, law enforcement officers, and many others, and works to train them in

communicating with and supporting individuals with FASD.

Again, I am so pleased to be introducing this bill with my colleagues and encourage all of our colleagues to consider supporting this bill. I would also like to take a moment to thank Senator Daschle for his leadership on FASD. His commitment to combating this illness is still present in South Dakota and in the lives of those who battle FASD every day.

By Mr. KOHL (for himself, Mr. FEINGOLD, Mr. TESTER, Mr. SANDERS, Mr. KERRY, Mr. DURBIN, Mr. OBAMA, Mr. BINGAMAN, and Mr. DOMENICI):

S. 2143. A bill to amend the Elementary and Secondary Education Act to establish a program to improve the health and education of children through grants to expand school breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, today I join Senator KOHL in introducing the Student Breakfast and Education Improvement Act as part of my continued efforts to improve our nation's schools. I am pleased to be working with the senior Senator from Wisconsin, who has been a longtime leader in this area. As far back as 1999, he has sponsored legislation to support breakfast programs, and he has continued his support through his work on the Agriculture Appropriations Committee since then.

One often overlooked part of student classroom performance is nutrition and hunger, which can have a tremendous impact on students. I know many of my colleagues share my support for school programs that help alleviate hunger for the most in-need students, such as the Free and Reduced Price Lunch Program, as well as those programs that provide healthier food, such as the Fresh Fruit and Vegetable Snack and Farm-to-Cafeteria programs.

I am sure that I am not the only member of this body who grew up hearing that breakfast is the most important meal of the day. When I talk to my colleagues and constituents about our proposal and the importance of breakfast and learning, it is not a hard sell. People understand immediately why this issue matters.

Unfortunately, too many children go hungry and too many parents have to choose between giving their children lunch or breakfast, even if they get the help of reduced price meals.

The Student Breakfast and Education Improvement Act would provide grants for schools wishing to begin or expand universal school breakfast programs. Studies show that kids who eat breakfast perform better in school and on tests, and they tend to be less disruptive to the class, and I have heard many stories from teachers, school nurses, and other school officials over the years to confirm this. In fact, last

year in my home State of Wisconsin, with the support of Senator KOHL, the Milwaukee Public Schools worked with the Hunger Task Force to implement universal school breakfast programs in more than 60 schools. This program, which has expanded in its second year, has proven popular with students, teachers, and parents.

We are set to debate the reauthorization of the No Child Left Behind Act, NCLB, later this year. NCLB was the 2002 reauthorization of the Elementary and Secondary Education Act, ESEA, of 1965. NCLB set the important goal of closing the achievement gap that exists in our nation's schools. I disagree with some of the methods that NCLB employs, including relying primarily on high-stakes standardized tests to measure students and schools, but I strongly agree that the achievement gap needs to be closed. The latest scores from the National Assessment on Educational Progress NAEP were released last week and the scores show we have a very long way to go before we close that achievement gap in many States, including in my State of Wisconsin.

There are a variety of education reforms that need to be pursued at the federal, state, and local level in order to close the achievement gap. One step Congress can take is to support programs to comprehensively address the needs of children, including their nutrition, health, and social needs. Our Student Breakfast and Education Improvement Act is legislation that is designed to help address some of those needs. Too many students in some of our nation's most disadvantaged schools walk into school in the morning hungry, or eat junk food for their breakfast. By working to provide these students with access to a nutritious breakfast, we are telling these students that we value them and that we want to help them achieve all that they can in school. Much more needs to be done to address other needs of our students, but this bill is a step in the right direction.

Our legislation would target the schools most in need, those with 65 percent more of students eligible for the free and reduced price lunch program, with the funds necessary to implement a universal free breakfast program. The grants, which could be used in a number of ways, aim to help schools overcome the numerous barriers to creating a universal school breakfast program. In fiscal year 2006, 10 million more students participated in free and reduced price lunch than breakfast. This disparity is troubling to me and many others.

Our bill would work with existing meal programs, not replace them. Provision 2 of Section 11(a)(1) of the National School Lunch Act allows schools to establish their free and reduced meal rates for a 4 year period if they serve all meals at no charge. The combination of not having to collect free and reduced price information from students annually, and not having to

collect daily meal money from students, results in significant administrative savings. While schools participating under Provision 2 must cover the lost revenue from the reduced and full price meal costs, for the high-needs schools such as those targeted by this program, the typically higher participation rate also means the school can benefit from some economies of scale and receive a better price for the food. The grants this bill would provide would help schools make the initial investments needed to establish a universal breakfast program and make up for the lost revenue.

Some universal breakfast programs, like the one I mentioned in Milwaukee, have demonstrated that universal free breakfast programs create an economy of scale that actually makes the cost per student lower. The Milwaukee program served breakfast in the classroom, which, according to teachers and others involved, further improved the economy of the program, as well as the positive impact of breakfast on students' attention.

While our bill has some preferences, including a target for the poorest schools, it is important to note that it has tremendous flexibility for the states and school districts. Schools will be able to tailor their universal breakfast programs to the needs of their own students. It also gives schools the option of purchasing locally grown foods and linking with local farmers, which provide excellent opportunities for nutrition lessons and can even be incorporated into other subjects such as science and math.

This bill is just a start; much more should be done to increase participation in breakfast programs and provide schools with the ability and resources to design programs that address the needs of their students and communities. Our bill does not intend to replace broader efforts, but rather to provide some immediate assistance for the schools most in need. Furthermore, by including a reporting requirement and encouraging researchers to study the effectiveness of the funded programs in improving student learning, this legislation would provide useful evidence about the need for broader investment and how to ensure those resources are best spent.

I would like to thank Senators TESTER, SANDERS, KERRY, DURBIN, OBAMA, BINGAMAN, and DOMENICI for their support for this legislation. The Student Breakfast and Education Improvement Act is also supported by the Hunger Task Force, Community Food Security Coalition, the School Social Work Association of America and the Wisconsin School Social Workers Association. I look forward to working with my colleagues to provide breakfast to more in-need students.

By Mr. COLEMAN (for himself,  
Mr. SALAZAR, Ms. MURKOWSKI,  
Ms. LANDRIEU, Mr. THUNE, Mr.  
JOHNSON, Mr. WARNER, Mr.

LIEBERMAN, Mr. MARTINEZ, and  
Mr. BUNNING);

S. 2144. A bill to require the Secretary of Energy to conduct a study of feasibility relating to the construction and operation of pipelines and carbon dioxide sequestration facilities, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2144

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Carbon Dioxide Pipeline Study Act of 2007".

**SEC. 2. STUDY OF FEASIBILITY RELATING TO CONSTRUCTION AND OPERATION OF PIPELINES AND CARBON DIOXIDE SEQUESTRATION FACILITIES.**

(a) IN GENERAL.—The Secretary of Energy (referred to in this section as the "Secretary"), in coordination with the Federal Energy Regulatory Commission, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, and the Secretary of the Interior, shall conduct a study to assess the feasibility of the construction and operation of—

(1) pipelines to be used for the transportation of carbon dioxide for the purpose of sequestration or enhanced oil recovery; and

(2) carbon dioxide sequestration facilities.

(b) SCOPE.—In conducting the study under subsection (a), the Secretary shall consider—

(1) any barrier or potential barrier in existence as of the date of enactment of this Act, including any technical, siting, financing, or regulatory barrier, relating to the construction and operation of—

(A) pipelines to be used for the transportation of carbon dioxide for the purpose of sequestration or enhanced oil recovery; or

(B) carbon dioxide sequestration facilities;

(2) any market risk (including throughput risk) relating to the construction and operation of—

(A) pipelines to be used for the transportation of carbon dioxide for the purpose of sequestration or enhanced oil recovery; or

(B) carbon dioxide sequestration facilities;

(3) any regulatory, financing, or siting option that, as determined by the Secretary, would—

(A) mitigate any market risk described in paragraph (2); or

(B) help ensure the construction of pipelines dedicated to the transportation of carbon dioxide for the purpose of sequestration or enhanced oil recovery;

(4) the means by which to ensure the safe handling, transportation, and sequestration of carbon dioxide;

(5) any preventive measure to ensure the integrity of pipelines to be used for the transportation of carbon dioxide for the purpose of sequestration or enhanced oil recovery; and

(6) any other appropriate issue, as determined by the Secretary.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the results of the study.

By Mr. SMITH (for himself, Mr.  
JOHNSON, and Mr. DORGAN):

S. 2145. A bill to amend the Indian Health Care Improvement Act to ensure that Indian veterans are not liable for certain health care payments; to the Committee on the Judiciary.

Mr. SMITH. Mr. President, I rise today to introduce the American Indian Veteran Health Care Improvement Act, along with Senators JOHNSON and DORGAN. This legislation would encourage collaborations between the Department of Health and Human Services, HHS, and the Department of Veterans Affairs, VA, which would result in greater access to health care services for American Indian and Alaska Native, AI/AN, veterans of federally-recognized tribes. This legislation also would ensure that these AI/AN veterans eligible for VA health care benefits delivered by the Indian Health Service, IHS, an Indian tribe, or tribal organizations will not be liable for any out of pocket expenses.

American Indians and Alaska Natives have a long history of exemplary military service to the United States. They have volunteered to serve their country at a higher percentage in all of Americas' wars and conflicts than any other ethnic group on a per capita basis. As a result, they have a wide range of combat related health care needs. AI/AN veterans may be eligible for health care from Veterans Health Administration, VHA, or from IHS or both. Despite this dual eligibility, AI/AN veterans report the highest rate of unmet health care needs among veterans and exhibit high rates of disease risk factors.

On February 25, 2003, the HHS and the VA entered into a Memorandum of Understanding, MOU, to encourage cooperation and resource sharing between the IHS and the VHA. The goal of the MOU is to use the strengths and expertise of both organizations to increase access, deliver quality health care services and enhance the health status of AI/AN veterans. These collaborations are designed to improve communication between the agencies and tribal governments, and to create opportunities to develop strategies for sharing information services and technology. The technology sharing includes the VA's electronic medical record system, bar code medication administration and telemedicine. Also, the VA and the IHS cosponsor continuing medical training for their health care staffs. The MOU encourages VA, tribal, and IHS programs to collaborate in numerous ways at the local level. These services may include referrals for specialty care at a VA facility, prescriptions offered by the VA, and testing not offered by IHS.

At the local level, many partnerships are being formed among the IHS, VA, and tribal governments to identify local needs and develop local solutions. These local needs may include VA enrollment, initial screenings, and other health care services. The anticipated product of these collaborations is to ensure that quality health care is pro-

vided to all eligible AI/AN veterans. In my State, the Portland VA Medical Center and the Portland Area Office-IHS are working on a local MOU for the purpose of improving access to VA health care services for eligible AI/AN veterans. The Warms Springs Confederated Tribes have been instrumental in developing this agreement based on the needs of and by AI veterans on the Warm Springs Reservation. These veterans often are eligible for health benefits from both VA and IHS and it is their intended purpose to make care more seamless, thereby improving access and quality.

Based on the Federal Government's trust responsibility for Indian tribes, eligible Indians receive free IHS health services regardless of their ability to pay. Unlike the IHS, the VA imposes cost-sharing on certain beneficiaries. This bill would alleviate eligible AI/AN veterans' responsibility for any VA-related expenses when care is delivered through the IHS.

In November 2001, President George W. Bush proclaimed National American Indian Heritage Month by celebrating the role of the indigenous peoples of North America in shaping our Nation's history and culture. He said, "American Indian and Alaska Native cultures have made remarkable contributions to our national identity. Their unique spiritual, artistic, and literary contributions, together with their vibrant customs and celebrations, enliven and enrich our land."

An important part of the overall contribution of AI/AN peoples to our Nation is the part they play in protecting and preserving our freedoms. Their contributions to our armed forces have been made throughout our history. I am hopeful that the VA and the IHS will continue to work together to deliver health care services to our Nation's AI/AN veterans that they so deserve. I look forward to hearing about more of these partnership projects, and to learn of their successes.

I look forward to working with my colleagues, Senator JOHNSON and Senator DORGAN, and I urge my colleagues to join us in support of this legislation.

By Mr. AKAKA:

S. 2148. A bill to provide for greater diversity within, and to improve policy direction and oversight of, the Senior Executive Service; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I wish to join my colleague in the House, Congressman DANNY DAVIS, to introduce the Senior Executive Service Diversity Assurance Act to improve the management of the Senior Executive Service, SES, and enhance its diversity.

For years we have known that the Federal SES does not reflect the diversity of our Nation. The Government Accountability Office released reports in 2003 and 2007 showing that the percentages of minorities in the SES are inconsistent from agency to agency

and not reflective of the diversity of the potential pool of applicants.

While we have seen some gains in the area of women in senior positions, the 28 percent of women in the SES is far less than the national average. And for minorities in senior level career positions, the gap is worse. Twenty-one percent of the potential applicants are racial and ethnic minorities while only 16 percent of the entire SES are minorities.

As agencies think about the next generation of SES, it is important to be reminded of the need to recruit a talented and diverse pool of candidates in order to bring fresh perspectives into our Government's leadership roles. In serving the diverse population of America, we need diverse leaders to improve the way the Federal workforce serves our country.

It is well known that the Federal Government is facing an impending retirement wave. Ninety percent of senior level employees will be eligible for retirement in the next 10 years. Federal agencies need to prepare for the next generation of leaders and in the process actively recruit diverse talent. I believe that mentoring is an excellent way to do that. This bill requires the establishment of an SES mentorship program. Qualified senior executives would be paired up with other talented women, racial and ethnic minorities, and disabled persons to mentor them in the hopes of cultivating a diverse pool of applicants for SES positions.

The Senior Executive Service Diversity Assurance Act also establishes an office of senior executive resources to improve overall efficiency and diversity by bringing together all the SES policy development and implementation functions at the Office of Personnel Management.

The bill also establishes evaluation panels made up of women and minorities to review incoming applications for SES positions and pass along recommendations of the qualified candidates to the Executive Review Board.

The standards are high for entry into the SES, and I believe that this bill continues that tradition and will improve the overall diversity in our highly talented executive workforce.

America is a nation of many different races and backgrounds. Every year, the diverse heritage of America continues to grow, and our communities benefit from the addition of those cultures. New cultures bring new ideas, and in our civil service—America's workforce—we need leadership that reflects those varied cultures and backgrounds.

I believe this bill lays the framework for bringing these new ideas and different populations into Federal leadership. I hope to see improvements in the representation of women, racial and ethnic minorities, and the disabled in the SES.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2148

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Senior Executive Service Diversity Assurance Act".

#### SEC. 2. SENIOR EXECUTIVE SERVICE RESOURCE OFFICE.

(a) DEFINITIONS.—For purposes of this section—

(1) the term "Director" means the Director of the Office of Personnel Management;

(2) the term "Senior Executive Service" has the meaning given such term by section 2101a of title 5, United States Code;

(3) the terms "agency", "career appointee", and "career reserved position" have the meanings given them by section 3132 of title 5, United States Code; and

(4) the term "SES Resource Office" means the Senior Executive Service Resource Office, established under subsection (b).

(b) ESTABLISHMENT.—Not later than January 1, 2009, the Director shall establish within the Office of Personnel Management an office to be known as the Senior Executive Service Resource Office. The mission of the SES Resource Office shall be—

(1) to improve the efficiency, effectiveness, and productivity of the Senior Executive Service through policy formulation and oversight;

(2) to advance the professionalism of the Senior Executive Service; and

(3) to ensure that, in seeking to achieve a Senior Executive Service reflective of the Nation's diversity, recruitment is from qualified individuals from appropriate sources.

(c) FUNCTIONS.—It shall be the function of the SES Resource Office to make recommendations to the Director with respect to regulations, and to provide guidance to agencies, concerning the structure, management, and diverse composition of the Senior Executive Service. In order to carry out the purposes of this section, the SES Resource Office shall—

(1) take such actions as the SES Resource Office considers necessary to manage and promote an efficient, elite, and diverse corps of senior executives by—

(A) creating policies for the management and improvement of the Senior Executive Service;

(B) providing oversight of the performance, structure, and composition of the Senior Executive Service; and

(C) providing guidance and oversight to agencies in the management of senior executives and candidates for the Senior Executive Service;

(2) be responsible for the policy development, management, and oversight of the Senior Executive Service pay system;

(3) develop standards for certification of each agency's Senior Executive Service performance management system and evaluate all agency applications for certification;

(4) be responsible for developing and monitoring programs for the advancement and training of senior executives, including the Senior Executive Service Federal Candidate Development Program;

(5) provide oversight of and guidance to agency executive resources boards;

(6) be responsible for the administration of the qualifications review board;

(7) establish and maintain lists (in a form that renders them useful to appointing authorities and candidates) of—

(A) the total number of career reserved positions at each agency;

(B) the total number of vacant career reserved positions at each agency;

(C) whether candidates are being sought for each such vacant position; and

(D) the names and (to the extent available) the race, ethnicity, gender, and any disabilities of individuals who have been certified, in accordance with section 3393(d) of title 5, United States Code (as so redesignated by section 3(a)), as having the executive qualifications necessary for initial appointment as a career appointee;

(8) establish mentoring programs for individuals described in paragraph (7)(D);

(9) collect and maintain statistics relating to the composition of the Senior Executive Service based on race, ethnicity, gender, age, and persons with disabilities;

(10) publish annually in the Federal Register statistics relating to—

(A) the data collected by the SES Resource Office under paragraph (7); and

(B) the composition of the Senior Executive Service based on the factors listed in paragraph (7)(D); and

(11) conduct a continuing program for the recruitment of women, members of racial and ethnic minority groups, and the disabled for Senior Executive Service positions, with special efforts directed at recruiting from educational institutions, professional associations, and other sources.

(d) PUBLIC ACCESS TO STATISTICS.—The SES Resource Office shall make the statistics under subsection (c)(10) accessible to the public through an Internet website.

#### SEC. 3. CAREER APPOINTMENTS.

(a) ESTABLISHMENT AND ROLE OF SES EVALUATION PANELS.—Section 3393 of title 5, United States Code, is amended—

(1) by redesignating subsections (b) through (g) as subsections (c) through (h), respectively; and

(2) by inserting after subsection (a) the following:

"(b)(1)(A) Each agency shall establish one or more Senior Executive Service evaluation panels, as appropriate, the members of which shall be appointed by the head of the agency (or his or her designee)—

"(i) from among senior executives of the agency or commissioned officers of the uniformed services serving on active duty in such agency; or

"(ii) from among senior executives of or commissioned officers of the uniformed services serving on active duty in another agency, if—

"(I) subparagraph (B) could not (but for this clause) otherwise be satisfied; and

"(II) the consent of the head of the other agency is obtained.

"(B) Each panel shall consist of 3 members, of whom at least 1 shall be a woman and 1 other shall be a member of a racial or ethnic minority group.

"(2) It shall be the function of a Senior Executive Service evaluation panel, with respect to any Senior Executive Service position for which a vacancy announcement is posted—

"(A) to review the executive qualifications of each candidate for a position which is to be filled by a career appointee; and

"(B) to certify to the appropriate executive resources board the names of candidates who, in the judgment of the panel, are best qualified for such position.

Nothing in subparagraph (A) shall be considered to apply in the case of any candidate who is already a career appointee."

(b) ROLE OF EXECUTIVE RESOURCES BOARDS.—Paragraph (1) of section 3393(c) of title 5, United States Code (as so redesignated by subsection (a)), is amended to read as follows:

"(1) for each career reserved position for which a vacancy is posted, review the execu-

tive qualifications of candidates certified under subsection (b) with respect to such position; and"

(c) DEFINITION OF APPOINTING AUTHORITY.—Section 3393 of title 5, United States Code, is amended by adding after subsection (h) (as so redesignated by subsection (a)) the following:

"(i) For purposes of this section, the term 'appointing authority' means, with respect to a position within an agency, the head of such agency (or his or her designee)."

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 3592(a)(1) of title 5, United States Code, is amended by striking "3393(d)" and inserting "3393(e)".

(2) Section 3593 of such title is amended—

(A) in subsection (a)—

(i) in the matter before paragraph (1), by striking "3393(b) and (c)" and inserting "3393(c) and (d)"; and

(ii) in subparagraph (1), by striking "3393(d)" and inserting "3393(e)"; and

(B) in subsection (c)(1)—

(i) in the matter before subparagraph (A), by striking "3393(b) and (c)" and inserting "3393(c) and (d)"; and

(ii) in subparagraph (C), by striking "3393(d)" and inserting "3393(e)".

(3) Section 3594 of such title is amended in subsections (a) and (b) by striking "3393(d)" and inserting "3393(e)".

(4) Section 3595(b)(1) of such title is amended by striking "3393(d)" and inserting "3393(e)".

(5) Section 7541(1)(A) of such title is amended by striking "3393(d)" and inserting "3393(e)".

By Mr. REED:

S. 2153. A bill to amend the Truth in Lending Act to enhance disclosure of the terms of home mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I introduce the Mortgage Disclosure Improvement Act of 2007. This bill will improve the loan disclosures given to homebuyers not only when they apply for a mortgage, but also when they refinance their home.

As we are all too aware, the percentage of loans entering foreclosure is at its highest level in 55 years. According to RealtyTrac, there were 1.2 million foreclosures reported nationwide last year, up 42 percent from 2005. Many of these Americans going into foreclosure took out exotic adjustable rate and payment option loans which are now resetting to new, much higher monthly payments. Many of these consumers never understood how these loan products worked or how high their payments would be once these loans reset.

The Mortgage Disclosure Improvement Act of 2007 would for the first time require that the maximum payment that a consumer has to make on a mortgage be disclosed, not only at application, but also seven days before closing. If these disclosures are not made or are made inaccurately, then lenders will be subject to statutory damages. In addition to requiring lenders to disclose the maximum payment under the loan, they will now have to provide consumers who apply for adjustable rate or variable payment loans with a warning that the payments will change, depending on the interest rate.

In addition, this bill would require lenders to give firm disclosure regarding the terms of the mortgage not only within three days of application for the loan, but also at least seven days before closing. Lenders also will now need to include a statement that the consumer is not obligated on the mortgage loan just because they have received the disclosures. This will give consumers the opportunity to truly shop around for the best mortgage terms for the first time ever. They will be able to compare the payments and costs associated with a certain loan product, and decide not to sign on the dotted line if they do not like the basic terms of the loan.

Finally, the bill clarifies that lenders are subject to statutory damages for violations of Truth in Lending disclosure provisions, increases the damages for mortgage violations from \$2,000 to \$5,000 per violation, and requires that mortgage disclosures be made within the stated time frames.

The increasing rate of foreclosures across the country is troubling. Not only are individual families losing their homes and their financial nest eggs, but there is a negative ripple effect across communities and the economy. Although improved TILA disclosures are only a small part of what Congress needs to do in the upcoming year, I believe that giving consumers the information they need regarding the maximum payments they might have to pay under the terms of a loan is an important and vital part of improving the process. Borrowers need to better understand the full financial impact of entering into a particular loan early in the loan decision process, and also before they actually consummate the loan. I hope my colleagues will join me in supporting this bill and other efforts to help improve the mortgage financing process.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2153

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Mortgage Disclosure Improvement Act of 2007".

#### SEC. 2. ENHANCED MORTGAGE LOAN DISCLOSURES.

Section 128(b)(2) of the Truth in Lending Act (15 U.S.C. 1638(b)(2)) is amended—

- (1) by inserting "(A)" before "In the";
- (2) by striking "a residential mortgage transaction, as defined in section 103(w)" and inserting "any extension of credit that is secured by the dwelling of a consumer";
- (3) by striking "shall be made in accordance" and all that follows through "extended, or";
- (4) by striking "If the" and all that follows through the end of the paragraph and inserting the following:

"(B) In the case of an extension of credit that is secured by the dwelling of a consumer, in addition to the other disclosures

required by subsection (a), the disclosures provided under this paragraph shall—

"(i) state in conspicuous type size and format, the following: 'You are not required to complete this agreement merely because you have received these disclosures or signed a loan application.'; and

"(ii) be furnished to the borrower not later than 7 business days before the date of consummation of the transaction, and at the time of consummation of the transaction, subject to subparagraph (D).

"(C) In the case of an extension of credit that is secured by the dwelling of a consumer, under which the annual rate of interest is variable, or with respect to which the regular payments may otherwise be variable, in addition to the other disclosures required by subsection (a), the disclosures provided under this paragraph shall—

"(i) label the payment schedule as follows: 'Payment Schedule: Payments Will Vary Based on Interest Rate Changes'; and

"(ii) state the maximum amount of the regular required payments on the loan, based on the maximum interest rate allowed, introduced with the following language in conspicuous type size and format: 'Your payment can go as high as [ ]', the blank to be filled in with the maximum possible payment amount.

"(D) In any case in which the disclosure statement provided 7 business days before the date of consummation of the transaction contains an annual percentage rate of interest that is no longer accurate, as determined under section 107(c), the creditor shall furnish an additional, corrected statement to the borrower, not later than 3 business days before the date of consummation of the transaction."

#### SEC. 3. CIVIL LIABILITY.

Section 130(a) of the Truth in Lending Act (15 U.S.C. 1640(a)) is amended—

(1) in paragraph (2)(A)(iii), by striking "not less than \$200 or greater than \$2,000" and inserting "\$5,000, such amount to be adjusted annually based on the consumer price index, to maintain current value"; and

(2) in the penultimate sentence of the undesignated matter following paragraph (4)—

(A) by striking "only for" and inserting "for";

(B) by striking "section 125 or" and inserting "section 122, section 125,";

(C) by inserting "or section 128(b)," after "128(a),"; and

(D) by inserting "or section 128(b)" before the period.

Mr. BINGAMAN (for himself, Mr. DOMENICI, Ms. CANTWELL, and Mr. JOHNSON):

S. 2156. A bill to authorize and facilitate the improvement of water management by the Bureau of Reclamation, to require the Secretary of the Interior and the Secretary of Energy to increase the acquisition and analysis of water resources for irrigation, hydroelectric power, municipal, and environmental uses, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today I am introducing a bill entitled the SECURE Water Act, Science and Engineering to Comprehensively Understand and Responsibly Enhance Water Act to address some of the serious water-related challenges facing this country. My colleagues Senator DOMENICI, Senator CANTWELL, and Senator JOHNSON are cosponsoring this

measure and I am pleased to have their support.

Water resource issues are putting State and local water managers to the test in all areas of the country. In the western U.S., these challenges are exacerbated due to drought, population increases, environmental needs, and climate change, all of which are affecting the sustainability of water supplies. Much needs to be done to ensure that sufficient quantities of water of adequate quality are available to meet the basic needs of our citizens, as well as sustaining important economic and environmental uses.

As the intense competition for limited water supplies increases, more refined water management strategies are necessary. One way to improve in this area is to improve the nationwide data collection and monitoring activities associated with water. The SECURE Water Act will do this by requiring an expansion of the National Streamflow Information Program and the development of a systematic groundwater monitoring program. The bill also directs the U.S. Geological Survey to formally establish a water use and availability assessment program consistent with recommendations made by the National Research Council. Better data will lead to better modeling and improved decisionmaking by State, local, and Federal water managers.

Another area needing more attention concerns the impacts of global climate change on water resources. Already well-documented is the fact that increasing temperatures are resulting in less snowpack and more rain in many regions, and changing the timing of snow-melt runoff. Moreover, at a recent hearing on climate change and water held by the Energy and Natural Resources Committee, the USGS indicated that current climate models are also projecting a long-term drying trend in the Southwest—the fastest growing region in the country. Fully understanding and adapting to these long-term impacts is imperative to the health and well-being of many communities. The SECURE Water Act directs the Secretary of the Interior to establish an Intra-Governmental Panel to help make the link between the scientific community and water managers to improve water availability forecasts and to implement adaptation strategies. The bill also requires the Bureau of Reclamation to initiate a climate change adaptation program to develop strategies and conduct feasibility studies to address water shortages, conflicts, and other impacts to water users and the environment. In addition, both Reclamation and the Department of Energy are directed to assess the effects of climate change on the water supplies needed for hydropower production, which represents the source of at least 7 percent of the Nation's electricity supply.

Finally, the SECURE Water Act recognizes that promoting the efficient use of water is critical to respond to

any of the threats that may impact available supplies. Accordingly, the Bureau of Reclamation is authorized to provide financial assistance to States, tribes, and local entities to construct improvements or take actions to increase water-use efficiencies that respond to drought, climate change, or other water-related crises.

Of course, States bear the primary responsibility and authority for managing water resources in this country. Nonetheless, given the reality that adequate and safe water supplies are fundamental to the health, economy, and ecology of the United States, it is imperative that the Federal government be a strong partner in assisting State and local communities to address present and future water supply challenges. The SECURE Water Act was developed with this strong partnership in mind. I look forward to starting the dialogue on this important legislation and hope that my colleagues will ultimately support its enactment.

Thank you for the opportunity to make these remarks. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2156

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Science and Engineering to Comprehensively Understand and Responsibly Enhance Water Act” or the “SECURE Water Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Climate change adaptation program.
- Sec. 5. Water management improvement.
- Sec. 6. Hydroelectric power assessment.
- Sec. 7. Climate change and water intragovernmental panel.
- Sec. 8. Water data enhancement by United States Geological Survey.
- Sec. 9. Water use and availability assessment program.
- Sec. 10. Effect.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) adequate and safe supplies of water are fundamental to the health, economy, security, and ecology of the United States;

(2) systematic data-gathering with respect to, and research and development of, the water resources of the United States will help ensure the continued existence of sufficient quantities of water to support—

- (A) increasing populations;
  - (B) economic growth;
  - (C) irrigated agriculture;
  - (D) energy production; and
  - (E) the protection of aquatic ecosystems;
- (3) global climate change poses a significant challenge to the protection and use of the water resources of the United States due to an increased uncertainty with respect to the timing, form, and geographical distribution of precipitation, which may have a substantial effect on the supplies of water for agricultural, hydroelectric power, industrial, domestic supply, and environmental needs;

(4) although States bear the primary responsibility and authority for managing the

water resources of the United States, the Federal Government should support the States, as well as regional, local, and tribal governments, by carrying out—

(A) nationwide data collection and monitoring activities;

(B) relevant research; and

(C) activities to increase the efficiency of the use of water in the United States;

(5) Federal agencies that conduct water management and related activities have a responsibility—

(A) to take a lead role in assessing risks to the water resources of the United States (including risks posed by global climate change); and

(B) to develop strategies—

(i) to mitigate the potential impacts of each risk described in subparagraph (A); and

(ii) to help ensure that the long-term water resources management of the United States is sustainable and will ensure sustainable quantities of water;

(6) it is critical to continue and expand research and monitoring efforts—

(A) to improve the understanding of the variability of the water cycle; and

(B) to provide basic information necessary—

(i) to manage and efficiently use the water resources of the United States; and

(ii) to identify new supplies of water that are capable of being reclaimed; and

(7) the study of water use is vital—

(A) to the understanding of the impacts of human activity on water and ecological resources; and

(B) to the assessment of whether available surface and groundwater supplies will be available to meet the future needs of the United States.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) ADVISORY COMMITTEE.—The term “Advisory Committee” means the National Advisory Committee on Water Information established—

(A) under the Office of Management and Budget Circular 92-01; and

(B) to coordinate water data collection activities.

(3) ASSESSMENT PROGRAM.—The term “assessment program” means the water availability and use assessment program established by the Secretary under section 9(a).

(4) CLIMATE DIVISION.—The term “climate division” means 1 of the 359 divisions in the United States that represents 2 or more regions located within a State that are as climatically homogeneous as possible, as determined by the Administrator.

(5) COMMISSIONER.—The term “Commissioner” means the Commissioner of Reclamation.

(6) DIRECTOR.—The term “Director” means the Director of the United States Geological Survey.

(7) ELIGIBLE APPLICANT.—The term “eligible applicant” means any State, Indian tribe, irrigation district, water district, or other organization with water delivery authority.

(8) FEDERAL POWER MARKETING ADMINISTRATION.—The term “Federal Power Marketing Administration” means—

(A) the Bonneville Power Administration;

(B) the Southeastern Power Administration;

(C) the Southwestern Power Administration; and

(D) the Western Area Power Administration.

(9) HYDROLOGIC ACCOUNTING UNIT.—The term “hydrologic accounting unit” means 1

of the 352 river basin hydrologic accounting units used by the United States Geological Survey.

(10) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(11) MAJOR AQUIFER SYSTEM.—The term “major aquifer system” means a groundwater system that is—

(A) identified as a significant groundwater system by the Director; and

(B) included in the Groundwater Atlas of the United States, published by the United States Geological Survey.

(12) MAJOR RECLAMATION RIVER BASIN.—

(A) IN GENERAL.—The term “major reclamation river basin” means each major river system (including tributaries)—

(i) that is located in a service area of the Bureau of Reclamation; and

(ii) at which is located a federally authorized project of the Bureau of Reclamation.

(B) INCLUSIONS.—The term “major reclamation river basin” includes—

(i) the Colorado River;

(ii) the Columbia River;

(iii) the Klamath River;

(iv) the Missouri River;

(v) the Rio Grande;

(vi) the Sacramento River;

(vii) the San Joaquin River; and

(viii) the Truckee River.

(13) NON-FEDERAL PARTICIPANT.—The term “non-Federal participant” means—

(A) a State, regional, or local authority;

(B) an Indian tribe or tribal organization;

or

(C) any other qualifying entity, such as a water conservation district, water conservancy district, or rural water district or association, or a nongovernmental organization.

(14) PANEL.—The term “panel” means the climate change and water intragovernmental panel established by the Secretary under section 7(a).

(15) PROGRAM.—The term “program” means the regional integrated sciences and assessments program—

(A) established by the Administrator; and

(B) that is comprised of 8 regional programs that use advances in integrated climate sciences to assist decisionmaking processes.

(16) SECRETARY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “Secretary” means the Secretary of the Interior.

(B) EXCEPTIONS.—The term “Secretary” means—

(i) in the case of section 4, the Secretary of the Interior (acting through the Commissioner); and

(ii) in the case of sections 8 and 9, the Secretary of the Interior (acting through the Director).

(17) SERVICE AREA.—The term “service area” means any area that encompasses a watershed that contains a federally authorized reclamation project that is located in any State or area described in the first section of the Act of June 17, 1902 (43 U.S.C. 391).

#### SEC. 4. CLIMATE CHANGE ADAPTATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a climate change adaptation program—

(1) to assess each effect of, and risk resulting from, global climate change with respect to the quantity of water resources located in a service area; and

(2) to ensure, to the maximum extent possible, that strategies are developed to address potential water shortages, conflicts, and other impacts to water users located at, and the environment of, each service area.

(b) **REQUIRED ELEMENTS.**—In carrying out the program described in subsection (a), the Secretary shall—

(1) consult with the United States Geological Survey, the National Oceanic and Atmospheric Administration, the program, and each appropriate State water resource agency, to ensure that the Secretary has access to the best available scientific information with respect to presently observed and projected future impacts of global climate change on water resources;

(2) assess specific risks to the water supply of each major reclamation river basin, including any risk relating to—

- (A) a change in snowpack;
- (B) the timing of runoff; and
- (C) any increase in—

(i) the demand for water as a result of increasing temperatures; and

- (ii) the rate of reservoir evaporation;

(3) with respect to each major reclamation river basin, analyze the extent to which changes in the water supply of the United States will impact—

(A) the ability of the Secretary to deliver water to the contractors of the Secretary;

(B) hydroelectric power generation facilities;

- (C) recreation at reclamation facilities;

- (D) fish and wildlife habitat;

(E) applicable species listed as an endangered, threatened, or candidate species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(F) water quality issues (including salinity levels of each major reclamation river basin);

(4) in consultation with appropriate non-Federal participants, consider and develop appropriate strategies to mitigate each impact of water supply changes analyzed by the Secretary under paragraph (3), including strategies relating to—

(A) the modification of any reservoir storage or operating guideline in existence as of the date of enactment of this Act;

(B) the development of new water management, operating, or habitat restoration plans;

- (C) water conservation;

(D) improved hydrologic models and other decision support systems; and

(E) groundwater and surface water storage needs; and

(5) in consultation with the Director, the Administrator, the Secretary of Agriculture (acting through the Chief of the Natural Resources Conservation Service), and applicable State water resource agencies, develop a monitoring plan to acquire and maintain water resources data—

(A) to strengthen the understanding of water supply trends; and

(B) to assist in each assessment and analysis conducted by the Secretary under paragraphs (2) and (3).

(c) **REPORTING.**—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Secretary shall submit to the appropriate committees of Congress a report that describes—

(1) each effect of, and risk resulting from, global climate change with respect to the quantity of water resources located in each major reclamation river basin;

(2) the impact of global climate change with respect to the operations of the Secretary in each major reclamation river basin;

(3) each mitigation and adaptation strategy considered and implemented by the Secretary to address each effect of global climate change described in paragraph (1);

(4) each coordination activity conducted by the Secretary with—

- (A) the Director;
- (B) the Administrator;

(C) the Secretary of Agriculture (acting through the Chief of the Natural Resources Conservation Service); or

(D) any appropriate State water resource agency; and

(5) the implementation by the Secretary of the monitoring plan developed under subsection (b)(5).

(d) **FEASIBILITY STUDIES.**—

(1) **AUTHORITY OF SECRETARY.**—The Secretary, in cooperation with any non-Federal participant, may conduct 1 or more studies to determine the feasibility of implementing each mitigation and adaptation strategy described in subsection (c)(3), including the construction of any water supply, water management, environmental, or habitat enhancement water infrastructure that the Secretary determines to be necessary to address the effects of global climate change on water resources located in each major reclamation river basin.

(2) **COST SHARING.**—

(A) **FEDERAL SHARE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the Federal share of the cost of a study described in paragraph (1) shall not exceed 50 percent of the cost of the study.

(ii) **EXCEPTION RELATING TO FINANCIAL HARDSHIP.**—The Secretary may increase the Federal share of the cost of a study described in paragraph (1) to exceed 50 percent of the cost of the study if the Secretary determines that, due to a financial hardship, the non-Federal participant of the study is unable to contribute an amount equal to 50 percent of the cost of the study.

(B) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a study described in paragraph (1) may be provided in the form of any in-kind services that substantially contribute toward the completion of the study, as determined by the Secretary.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2022, to remain available until expended.

#### **SEC. 5. WATER MANAGEMENT IMPROVEMENT.**

(a) **AUTHORIZATION OF GRANTS AND COOPERATIVE AGREEMENTS.**—

(1) **AUTHORITY OF SECRETARY.**—The Secretary may provide any grant to, or enter into any cooperative agreement with, any eligible applicant to assist the eligible applicant in planning, designing, or constructing any improvement—

- (A) to conserve water;

- (B) to increase water use efficiency;

- (C) to facilitate water markets;

- (D) to enhance water management; or

- (E) to carry out any other activity—

(i) to address any climate-related impact to the water supply of the United States; or

(ii) to prevent any water-related crisis or conflict at any watershed that has a nexus to a Federal reclamation project located in a service area.

(2) **APPLICATION.**—To be eligible to receive a grant, or enter into a cooperative agreement with the Secretary under paragraph (1), an eligible applicant shall submit to the Secretary an application that includes a proposal of the improvement to be planned, designed, constructed, or implemented by the eligible applicant.

(3) **REQUIREMENTS OF GRANTS AND COOPERATIVE AGREEMENTS.**—

(A) **COMPLIANCE WITH REQUIREMENTS.**—Each grant and cooperative agreement entered into by the Secretary with any eligible applicant under paragraph (1) shall be in compliance with each requirement described in subparagraphs (B) through (F).

(B) **CERTAIN IMPROVEMENTS OR ACTIVITIES RELATING TO AGRICULTURAL OPERATIONS.**—In carrying out paragraph (1), the Secretary

shall not provide a grant to, or enter into a cooperative agreement with, an eligible applicant to provide financial assistance for an improvement to conserve water with respect to an agricultural operation unless the Secretary first determines that the improvement will result in a net savings in ground-water or surface water resources in the agricultural operation of the eligible applicant.

(C) **NONREIMBURSABLE FUNDS.**—Any funds provided by the Secretary to an eligible applicant through a grant or cooperative agreement under paragraph (1) shall be non-reimbursable.

(D) **TITLE TO IMPROVEMENTS.**—If an infrastructure improvement to a facility under the jurisdiction of a Federal agency is the subject of a grant or a cooperative agreement entered into between the Secretary and an eligible applicant under paragraph (1), the Federal Government shall hold title to the improvement of the facility.

(E) **COST SHARING.**—

(i) **FEDERAL SHARE.**—The Federal share of the cost of any infrastructure improvement or activity that is the subject of a grant or a cooperative agreement entered into between the Secretary and an eligible applicant under paragraph (1) shall not exceed 50 percent of the cost of the infrastructure improvement or activity.

(ii) **CALCULATION OF NON-FEDERAL SHARE.**—In calculating the non-Federal share of the cost of an infrastructure improvement or activity proposed by an eligible applicant through an application submitted by the eligible applicant under paragraph (2), the Secretary shall—

(I) consider the value of any in-kind services that substantially contributes toward the completion of the improvement or activity, as determined by the Secretary; and

(II) not consider any other amount that the eligible applicant receives from a Federal agency.

(iii) **MAXIMUM AMOUNT.**—The amount provided to an eligible applicant through a grant or cooperative agreement under paragraph (1) shall be not more than \$5,000,000.

(iv) **OPERATION AND MAINTENANCE COSTS.**—The non-Federal share of the cost of operating and maintaining any infrastructure improvement that is the subject of a grant or a cooperative agreement entered into between the Secretary and an eligible applicant under paragraph (1) shall be 100 percent.

(F) **LIABILITY.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the United States shall not be liable for monetary damages of any kind for any injury arising out of an act, omission, or occurrence that arises in relation to any facility created or improved under this section, the title of which is not held by the United States.

(ii) **EXCEPTION.**—Clause (i) shall not apply to liability for monetary damages resulting from an injury caused by any act of negligence committed by the United States (or by any officer, employee, or agent of the United States) that arises in relation to any facility created or improved under this section, the title of which is not held by the United States.

(iii) **TORT CLAIMS ACT.**—Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code.

(b) **RESEARCH AGREEMENTS.**—

(1) **AUTHORITY OF SECRETARY.**—The Secretary may enter into 1 or more cooperative agreements with any university, nonprofit research institution, or organization with water or power delivery authority to fund any research activity that is designed—

- (A) to conserve water resources;

(B) to increase the efficiency of the use of water resources; or



(C) to enhance the management of water resources.

(2) **TERMS AND CONDITIONS OF SECRETARY.**—A cooperative agreement entered into between the Secretary and any university, institution, or organization described in paragraph (1) shall be subject to such terms and conditions as the Secretary determines to be appropriate.

(c) **MUTUAL BENEFIT.**—Grants or cooperative agreements made under this section may be for the mutual benefit of the United States and the entity that is provided the grant or enters into the cooperative agreement.

(d) **RELATIONSHIP TO PROJECT-SPECIFIC AUTHORITY.**—This section shall not supersede any existing project-specific funding authority.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$100,000,000, to remain available until expended.

**SEC. 6. HYDROELECTRIC POWER ASSESSMENT.**

(a) **DUTY OF SECRETARY OF ENERGY.**—The Secretary of Energy, in consultation with the Administrator of each Federal Power Marketing Administration, shall assess each effect of, and risk resulting from, global climate change with respect to water supplies that are required for the generation of hydroelectric power at each Federal water project that is applicable to a Federal Power Marketing Administration.

(b) **ACCESS TO APPROPRIATE DATA.**—

(1) **IN GENERAL.**—In carrying out each assessment under subsection (a), the Secretary of Energy shall consult with the United States Geological Survey, the National Oceanic and Atmospheric Administration, the program, and each appropriate State water resource agency, to ensure that the Secretary of Energy has access to the best available scientific information with respect to presently observed impacts and projected future impacts of global climate change on water supplies that are used to produce hydroelectric power.

(2) **ACCESS TO DATA FOR CERTAIN ASSESSMENTS.**—In carrying out each assessment under subsection (a), with respect to the Bonneville Power Administration and the Western Area Power Administration, the Secretary of Energy shall consult with the Commissioner to access data and other information that—

(A) is collected by the Commissioner; and

(B) the Secretary of Energy determines to be necessary for the conduct of the assessment.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, the Secretary of Energy shall submit to the appropriate committees of Congress a report that describes—

(1) each effect of, and risk resulting from, global climate change with respect to—

(A) water supplies used for hydroelectric power generation; and

(B) power supplies marketed by each Federal Power Marketing Administration, pursuant to—

(i) long-term power contracts;

(ii) contingent capacity contracts; and

(iii) short-term sales; and

(2) each recommendation of the Administrator of each Federal Power Marketing Administration relating to any change in any operation or contracting practice of each Federal Power Marketing Administration to address each effect and risk described in paragraph (1), including the use of purchased power to meet long-term commitments of each Federal Power Marketing Administration.

(d) **COSTS NONREIMBURSABLE.**—Any costs incurred by the Secretary of Energy in car-

rying out this section shall be nonreimbursable.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2022, to remain available until expended.

**SEC. 7. CLIMATE CHANGE AND WATER INTRAGOVERNMENTAL PANEL.**

(a) **ESTABLISHMENT.**—The Secretary shall establish and lead a climate change and water intragovernmental panel—

(1) to review the current scientific understanding of each impact of global climate change on the water resources of the United States; and

(2) to develop any strategy that the panel determines to be necessary to improve observational capabilities and expand data acquisition to increase the reliability and accuracy of modeling and prediction systems to benefit water managers at the Federal, State, and local levels.

(b) **MEMBERSHIP.**—The panel shall be comprised of—

(1) the Secretary;

(2) the Director;

(3) the Administrator;

(4) the Secretary of Agriculture (acting through the Chief of the Natural Resources Conservation Service);

(5) the Commissioner; and

(6) the Chief of Engineers.

(c) **REVIEW ELEMENTS.**—In conducting the review and developing the strategy under subsection (a), the panel shall consult with State water resource agencies, the Advisory Committee, and relevant water user, environmental, and other nongovernmental organizations—

(1) to assess the extent to which the conduct of measures of streamflow, groundwater levels, soil moisture, evapotranspiration rates, evaporation rates, snowpack levels, precipitation amounts, and glacier mass is necessary to improve the understanding of the Federal Government and the States with respect to each impact of global climate change on water resources;

(2) to identify data gaps in current water monitoring networks that must be addressed to improve the capability of the Federal Government and the States to measure, analyze, and predict changes to water resources that are directly or indirectly affected by global climate change;

(3) to establish data management and communication protocols and standards to increase the quality and efficiency by which each Federal agency acquires and reports relevant data;

(4) to consider options for the establishment of a data portal to enhance access to water resource data—

(A) relating to each nationally significant watershed and aquifer located in the United States; and

(B) that is collected by each Federal agency and any other public or private entity for each nationally significant watershed and aquifer located in the United States;

(5) to expand, and integrate each initiative of the panel with, to the maximum extent possible, any interagency initiative in existence as of the date of enactment of this Act, including—

(A) the national integrated drought information system of the National Oceanic and Atmospheric Administration; and

(B) the advanced hydrologic prediction service of the National Weather Service;

(6) to facilitate the development of hydrologic models to integrate data that reflects groundwater and surface water interactions;

(7) to apply the hydrologic models developed under paragraph (6) to water resource management problems identified by the panel; and

(8) to consider the need for, and the development of, mechanisms to effectively combine global climate models, regional climate models, and hydrologic models to produce water resource information to assist water managers at the Federal, State, and local levels in the development of adaptation strategies that can be incorporated into long-term water management decisions.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that describes the review conducted, and the strategy developed, by the panel under subsection (a).

(e) **DEMONSTRATION, RESEARCH, AND METHODOLOGY DEVELOPMENT PROJECTS.**—

(1) **AUTHORITY OF SECRETARY.**—The Secretary, in consultation with the panel and the Advisory Committee, may provide grants to, or enter into any contract, cooperative agreement, interagency agreement, or other transaction with, an appropriate entity to carry out any demonstration, research, or methodology development project that the Secretary determines to be necessary to assist in the implementation of the strategy developed by the panel under subsection (a)(2).

(2) **REQUIREMENTS.**—

(A) **MAXIMUM AMOUNT OF FEDERAL SHARE.**—The Federal share of the cost of any demonstration, research, or methodology development project that is the subject of any grant, contract, cooperative agreement, interagency agreement, or other transaction entered into between the Secretary and an appropriate entity under paragraph (1) shall not exceed \$1,000,000.

(B) **REPORT.**—An appropriate entity that receives funds from a grant, contract, cooperative agreement, interagency agreement, or other transaction entered into between the Secretary and the appropriate entity under paragraph (1) shall submit to the Secretary a report describing the results of the demonstration, research, or methodology development project conducted by the appropriate entity.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out subsections (a) through (d) \$2,000,000 for each of fiscal years 2008 and 2009, to remain available until expended.

(2) **DEMONSTRATION, RESEARCH, AND METHODOLOGY DEVELOPMENT PROJECTS.**—There is authorized to be appropriated to carry out subsection (e) \$10,000,000 for the period of fiscal years 2008 through 2012, to remain available until expended.

**SEC. 8. WATER DATA ENHANCEMENT BY UNITED STATES GEOLOGICAL SURVEY.**

(a) **NATIONAL STREAMFLOW INFORMATION PROGRAM.**—

(1) **IN GENERAL.**—The Secretary shall conduct a review of the national streamflow information program, including a review of—

(A) each Federal objective with respect to the establishment of a national streamgaging network; and

(B) each geographic information-based method that the Secretary used to select sites to achieve each objective reviewed under subparagraph (A).

(2) **REQUIREMENTS.**—In conducting the national streamflow information program, the Secretary shall—

(A) measure streamflow and related environmental variables in nationally significant watersheds—

(i) in a reliable and continuous manner; and

(ii) to develop a comprehensive source of information on which public and private decisions relating to the management of water resources may be based;

(B) provide for a better understanding of hydrologic extremes (including floods and droughts) through the conduct of intensive data collection activities during and following hydrologic extremes;

(C) establish a base network that provides resources that are necessary for—

(i) the monitoring of long-term changes in streamflow; and

(ii) the conduct of assessments to determine the extent to which each long-term change monitored under clause (i) is related to global climate change;

(D) integrate the national streamflow information program with data collection activities of Federal agencies and appropriate State water resource agencies (including the national drought information system)—

(i) to enhance the comprehensive understanding of water availability;

(ii) to identify any data gap with respect to water resources; and

(iii) to improve hydrologic forecasting; and

(E) incorporate principles of adaptive management in the conduct of periodic reviews of information collected under the national streamflow information program to assess whether the objectives of the national streamflow information program are being adequately addressed.

(3) IMPROVED METHODOLOGIES.—The Secretary shall—

(A) improve methodologies relating to the analysis and delivery of data; and

(B) investigate, develop, and implement new methodologies and technologies to estimate or measure streamflow in a more cost-efficient manner.

(4) MEASUREMENT GOAL.—

(A) IN GENERAL.—Not later than 10 years after the date of enactment of this Act, in accordance with subparagraph (B), the Secretary shall increase the number of sites measured under the national streamflow information program to a quantity of not less than 4,700 sites.

(B) REQUIREMENTS OF SITES.—Each site described in subparagraph (A) shall be—

(i) located in a nationally significant watershed, as determined by the Secretary; and

(ii) measured by a streamgage or any other effective means implemented by the Secretary.

(5) FEDERAL SHARE.—The Federal share of the national streamgaging network established pursuant to this subsection shall be 100 percent of the cost of carrying out the national streamgaging network.

(6) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), there are authorized to be appropriated such sums as are necessary to carry out this subsection for the period of fiscal years 2008 through 2022, to remain available until expended.

(B) ACHIEVEMENT OF MEASUREMENT GOAL.—There is authorized to be appropriated to carry out paragraph (4) \$7,500,000 for each of fiscal years 2008 through 2018, to remain available until expended.

(b) NATIONAL GROUNDWATER RESOURCES MONITORING.—

(1) IN GENERAL.—The Secretary shall develop a systematic groundwater monitoring program for each major aquifer system located in the United States.

(2) PROGRAM ELEMENTS.—In developing the monitoring program described in paragraph (1), the Secretary shall—

(A) establish appropriate criteria for monitoring wells to ensure the acquisition of long-term, high-quality data sets, including, to the maximum extent possible, the inclusion of real-time instrumentation and reporting;

(B) in coordination with the Advisory Committee and State and local water resource agencies—

(i) assess the current scope of groundwater monitoring based on the access availability and capability of each monitoring well in existence as of the date of enactment of this Act; and

(ii) develop and carry out a monitoring plan that maximizes coverage for each major aquifer system that is located in the United States; and

(C) prior to initiating any specific monitoring activities within a State after the date of enactment of this Act, consult and coordinate with the applicable State water resource agency with jurisdiction over the aquifer that is the subject of the monitoring activities, and comply with all applicable laws (including regulations) of the State.

(3) PROGRAM OBJECTIVES.—In carrying out the monitoring program described in paragraph (1), the Secretary shall—

(A) provide data that is necessary for the improvement of understanding with respect to surface water and groundwater interactions;

(B) by expanding the network of monitoring wells to reach each climate division, support the groundwater climate response network to improve the understanding of the effects of global climate change on groundwater recharge and availability; and

(C) support the objectives of the assessment program.

(4) IMPROVED METHODOLOGIES.—The Secretary shall—

(A) improve methodologies relating to the analysis and delivery of data; and

(B) investigate, develop, and implement new methodologies and technologies to estimate or measure groundwater recharge, discharge, and storage in a more cost-efficient manner.

(5) FEDERAL SHARE.—The Federal share of the monitoring program described in paragraph (1) may be 100 percent of the cost of carrying out the monitoring program.

(6) PRIORITY.—In selecting monitoring activities consistent with the monitoring program described in paragraph (1), the Secretary shall give priority to those activities for which a State or local governmental entity agrees to provide for a substantial share of the cost of establishing or operating a monitoring well or other measuring device to carry out a monitoring activity.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for the period of fiscal years 2008 through 2022, to remain available until expended.

(c) BRACKISH GROUNDWATER ASSESSMENT.—

(1) STUDY.—The Secretary, in consultation with State and local water resource agencies, shall conduct a study of available data and other relevant information—

(A) to identify significant brackish groundwater resources located in the United States; and

(B) to consolidate any available data relating to each groundwater resource identified under subparagraph (A).

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that includes—

(A) a description of each—

(i) significant brackish aquifer that is located in the United States (including 1 or more maps of each significant brackish aquifer that is located in the United States);

(ii) data gap that is required to be addressed to fully characterize each brackish aquifer described in clause (i); and

(iii) current use of brackish groundwater that is supplied by each brackish aquifer described in clause (i); and

(B) a summary of the information available as of the date of enactment of this Act

with respect to each brackish aquifer described in subparagraph (A)(i) (including the known level of total dissolved solids in each brackish aquifer).

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$3,000,000 for the period of fiscal years 2008 through 2009, to remain available until expended.

(d) IMPROVED WATER ESTIMATION, MEASUREMENT, AND MONITORING TECHNOLOGIES.—

(1) AUTHORITY OF SECRETARY.—The Secretary may provide grants to appropriate entities with expertise in water resource data acquisition and reporting—

(A) to investigate, develop, and implement new methodologies and technologies to estimate or measure water resources data in a cost-efficient manner; and

(B) to improve methodologies relating to the analysis and delivery of data.

(2) PRIORITY.—In providing grants to appropriate entities under paragraph (1), the Secretary shall give priority to appropriate entities that propose the development of new methods and technologies for—

(A) predicting and measuring streamflows;

(B) estimating changes in the storage of groundwater;

(C) improving data standards and methods of analysis (including the validation of data entered into geographic information system databases);

(D) measuring precipitation and potential evapotranspiration;

(E) developing descriptive and predictive models that take into account groundwater and surface water; and

(F) water withdrawals, return flows, and consumptive use.

(3) COST SHARING.—

(A) FEDERAL SHARE.—The Federal share of the cost of the development of any new method or technology that is the subject of a grant under this subsection shall not exceed the lesser of—

(i) 50 percent of the cost of the development of the new method or technology; or

(ii) \$500,000.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of the development of any new method or technology that is the subject of a grant under this subsection may be provided in the form of any in-kind services that substantially contribute toward the development of any new method or technology, as determined by the Secretary.

(C) OTHER FEDERAL ASSISTANCE.—Assistance under this subsection may be in addition to assistance provided by the Federal Government pursuant to other provisions of law.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2008 through 2018.

**SEC. 9. WATER USE AND AVAILABILITY ASSESSMENT PROGRAM.**

(a) ESTABLISHMENT.—The Secretary, in coordination with the Advisory Committee and State and local water resource agencies, shall establish an assessment program to be known as the “water availability and use assessment program”—

(1) to provide a more accurate assessment of the status of the water resources of the United States;

(2) to assist in the determination of the quantity of water that is available for beneficial uses;

(3) to identify long-term trends in water availability;

(4) to use each long-term trend described in paragraph (3) to provide a more accurate assessment of the change in the availability of water in the United States; and

(5) to develop the basis for an improved ability to forecast the availability of water

for future economic, energy production, and environmental uses.

(b) PROGRAM ELEMENTS.—

(1) WATER USE.—In carrying out the assessment program, the Secretary shall conduct any appropriate activity to carry out an ongoing assessment of water use in hydrologic accounting units and major aquifer systems located in the United States, including—

(A) the maintenance of a comprehensive national water use inventory to enhance the level of understanding with respect to the effects of spatial and temporal patterns of water use on the availability and sustainable use of water resources;

(B) the incorporation of water use science principles, with an emphasis on applied research and statistical estimation techniques in the assessment of water use;

(C) the integration of any dataset maintained by any other Federal or State agency into the dataset maintained by the Secretary; and

(D) a focus on the scientific integration of any data relating to water use, water flow, or water quality to generate relevant information relating to the impact of human activity on water and ecological resources.

(2) WATER AVAILABILITY.—In carrying out the assessment program, the Secretary shall conduct an ongoing assessment of water availability by—

(A) developing and evaluating nationally consistent indicators that reflect each status and trend relating to the availability of water resources in the United States, including—

(i) surface water indicators, such as streamflow and surface water storage measures (including lakes, reservoirs, perennial snowfields, and glaciers);

(ii) groundwater indicators, including groundwater level measurements and changes in groundwater levels due to—

- (I) natural recharge;
- (II) withdrawals;
- (III) saltwater intrusion;
- (IV) mine dewatering;
- (V) land drainage;
- (VI) artificial recharge; and
- (VII) other relevant factors, as determined by the Secretary; and

(iii) impaired surface water and groundwater supplies that are known, accessible, and used to meet ongoing water demands; and

(B) maintaining a national database of water availability data that—

- (i) is comprised of maps, reports, and other forms of interpreted data;
- (ii) provides electronic access to the archived data of the national database; and
- (iii) provides for real-time data collection.

(c) GRANT PROGRAM.—

(1) AUTHORITY OF SECRETARY.—The Secretary may provide grants to State water resource agencies to assist State water resource agencies in—

(A) developing water use and availability datasets that are integrated with each appropriate dataset developed or maintained by the Secretary; or

(B) integrating any water use or water availability dataset of the State water resource agency into each appropriate dataset developed or maintained by the Secretary.

(2) CRITERIA.—To be eligible to receive a grant under paragraph (1), a State water resource agency shall demonstrate to the Secretary that the water use and availability dataset proposed to be established or integrated by the State water resource agency—

(A) is in compliance with each quality and conformity standard established by the Secretary to ensure that the data will be capable of integration with any national dataset; and

(B) will enhance the ability of the officials of the State of the State water resource agency to carry out each water management and regulatory responsibility of the officials of the State in accordance with each applicable law of the State.

(3) MAXIMUM AMOUNT.—The amount of a grant provided to a State water resource agency under paragraph (1) shall be an amount not more than \$250,000.

(4) REPORT.—Not later than January 1, 2010, and every 5 years thereafter, the Secretary shall submit to the appropriate committees of Congress a report that provides a detailed assessment of—

(1) the current availability of water resources in the United States, including—

(A) historic trends and annual updates of river basin inflows and outflows;

(B) surface water storage;

(C) groundwater reserves; and

(D) estimates of undeveloped potential resources (including saline water and wastewater);

(2) significant trends affecting water availability, including each documented or projected impact to the availability of water as a result of global climate change;

(3) the withdrawal and use of surface water and groundwater by various sectors, including—

(A) the agricultural sector;

(B) municipalities;

(C) the industrial sector;

(D) thermoelectric power generators; and

(E) hydroelectric power generators;

(4) significant trends relating to each water use sector, including significant changes in water use due to the development of new energy supplies;

(5) significant water use conflicts or shortages that have occurred, or are likely to occur; and

(6) each factor that has caused, or will likely cause, a conflict or shortage described in paragraph (5).

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out subsections (a), (b), and (d) \$20,000,000 for each of fiscal years 2008 through 2022, to remain available until expended.

(2) GRANT PROGRAM.—There is authorized to be appropriated to carry out subsection (c) \$12,500,000 for the period of fiscal years 2008 through 2012, to remain available until expended.

**SEC. 10. EFFECT.**

(a) IN GENERAL.—Nothing in this Act supersedes or limits any existing authority provided, or responsibility conferred, by any provision of law.

(b) EFFECT ON STATE WATER LAW.—

(1) IN GENERAL.—Nothing in this Act preempts or affects any—

(A) State water law; or

(B) interstate compact governing water.

(2) COMPLIANCE REQUIRED.—The Secretary shall comply with applicable State water laws in carrying out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 344—COM-  
MENDING THE GOVERNMENT OF  
GERMANY FOR PREVENTING A  
LARGE-SCALE TERRORIST AT-  
TACK IN SEPTEMBER 2007, AND  
SUPPORTING FUTURE COOPERA-  
TION TO PREVENT TERRORISM

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

S. RES. 344

Whereas, on September 4, 2007, police in Germany arrested 3 individuals for planning large-scale terrorist attacks against locations in Germany, including sites frequented by United States citizens;

Whereas possible targets included Ramstein Air Base, which serves as headquarters for United States Air Forces in Europe and is also a North Atlantic Treaty Organization installation, and Frankfurt Airport, one of the largest airports in Europe;

Whereas, according to German authorities, the 3 suspects belonged to a German cell of Islamic Jihad Union, a radical Sunni group based in Central Asia with links to Al Qaeda;

Whereas 300 police and other law enforcement officials were involved in the investigation and 41 homes across Germany were raided in a highly successful operation;

Whereas United States intelligence agencies reportedly provided critical information that alerted their counterparts in Germany as to the travels of the suspects between Germany and Pakistan and the suspects' affiliation with the Islamic Jihad Union;

Whereas German authorities acted swiftly and decisively to prevent an attack that could have come within days of the arrests;

Whereas the successful collaborative action by United States and German authorities prevented the possible deaths of many innocent people;

Whereas Germany and the United States have been close allies in the fight against terrorism;

Whereas the law enforcement, intelligence, diplomatic, and military organizations in Germany and the United States continue to work together to combat the terrorist threat and prevent future attacks; and

Whereas victory in the fight against terrorism is critical to preserve the liberty and ensure the safety of all people: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the efforts of law enforcement authorities in Germany in preventing a large-scale terrorist attack on numerous targets in Germany, including sites frequented by United States citizens;

(2) recognizes the role of United States intelligence agencies in providing critical information to German authorities in their investigation and apprehension of the suspected terrorists and notes the continuing importance of such United States intelligence cooperation with Germany;

(3) commends the intelligence community of Germany for its outstanding work in identifying the individuals suspected of seeking to carry out this terrorist plot;

(4) condemns those individuals who would use acts of violence against innocent civilians to spread a message of hate and intolerance;

(5) urges the allies of the United States to remain steadfast in their efforts to defeat international terrorism; and

(6) expresses its readiness to provide necessary assistance to the Government of Germany in its counterterrorism effort to bring to justice those individuals involved in this terrorist plot.

SENATE CONCURRENT RESOLU-  
TION 49—PROVIDING FOR A CON-  
DITIONAL ADJOURNMENT OR RE-  
CESS OF THE SENATE

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