

S. 1518

At the request of Mr. BURR, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1518, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune.

S. 1535

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1535, a bill to amend the Fish and Wildlife Act of 1956 to establish additional prohibitions on shooting wildlife from aircraft, and for other purposes.

S. 1536

At the request of Mr. SCHUMER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1536, a bill to amend title 23, United States Code, to reduce the amount of Federal highway funding available to States that do not enact a law prohibiting an individual from writing, sending, or reading text messages while operating a motor vehicle.

S. 1576

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1576, a bill to require the Secretary of Agriculture to establish a carbon incentives program to achieve supplemental greenhouse gas emission reductions on private forest land of the United States, and for other purposes.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 1610

At the request of Ms. CANTWELL, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1619

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities,

to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1628

At the request of Mr. UDALL of Colorado, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1628, a bill to amend title VII of the Public Health Service Act to increase the number of physicians who practice in underserved rural communities.

S. 1685

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1685, a bill to provide an emergency benefit of \$250 to seniors, veterans, and persons with disabilities in 2010 to compensate for the lack of a cost-of-living adjustment for such year, and for other purposes.

S. 1780

At the request of Mrs. LINCOLN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1780, a bill to amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 1821

At the request of Mr. KOHL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1821, a bill to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, to establish programs that provide for emergency crisis response teams to combat elder abuse, and for other purposes.

S. 1825

At the request of Mr. LIEBERMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1825, a bill to extend the authority for relocation expenses test programs for Federal employees, and for other purposes.

S. 1832

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1832, a bill to increase loan limits for small business concerns, provide for low interest refinancing for small business concerns, and for other purposes.

S. 1834

At the request of Mr. AKAKA, the name of the Senator from Wisconsin

(Mr. FEINGOLD) was added as a cosponsor of S. 1834, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. RES. 312

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. RES. 316

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Res. 316, a resolution calling upon 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, and for other purposes.

S. RES. 317

At the request of Ms. KLOBUCHAR, the names of the Senator from California (Mrs. BOXER) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. Res. 317, a resolution supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 1931. A bill to enhance the ability of Congress to oversee matters pertaining to nuclear nonproliferation identified in the findings and recommendations of the December 2008 Report of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, and for other purposes; to the Committee on Foreign Relations.

Mr. AKAKA. Mr. President, I rise today to introduce the Strengthening the Oversight of Nuclear Nonproliferation Act of 2009. This legislation will enhance the ability of Congress to oversee nuclear nonproliferation shortcomings that were identified in the Commission on the Prevention of Weapons of Mass Destruction, WMD, Proliferation and Terrorism's Commission December 2008 report.

Just last month, President Obama chaired a session of the United Nations Security Council, where the Security Council unanimously cosponsored and adopted Resolution 1887, which seeks to "create the conditions for a world

without nuclear weapons . . . in a way that promotes international stability.” Among other actions, the Security Council called on Nations to minimize the use of highly enriched uranium, strengthen export controls on sensitive nuclear technologies, improve nuclear security practices and standards, strengthen efforts to counter the threat of nuclear terrorism, and support the International Atomic Energy Agency’s, IAEA, ability to verify the uses of nuclear materials and facilities.

The proliferation of WMD is among the greatest threats facing national and international security. We need to commit ourselves to strengthening our nuclear nonproliferation efforts and to take the actions supported by the United Nations Security Council and the Commission.

The bill I am introducing today would require an annual report by the President’s Coordinator for WMD Proliferation and Terrorism to address the Commission’s findings regarding United States nuclear nonproliferation efforts. The report will provide an assessment of IAEA capabilities to detect possible military diversions of nuclear materials; will address actions taken to upgrade the physical security of civilian nuclear facilities in the United States; will identify the measures taken to minimize the use of weapons usable highly enriched uranium; will document the steps taken to implement the Energy Development Program under the Nuclear Non-Proliferation Act of 1978; will compare the security standards at civilian nuclear facilities to those at military facilities; and will detail what the U.S. is spending to promote civilian nuclear energy abroad.

The challenges of nuclear proliferation are global in nature and require sustained international collaboration. This bill would further our international efforts by requiring an additional report on the progress of United States Government cooperative efforts with the Director General of IAEA to examine how IAEA could better meet its nuclear safeguard goals; promote the transparency of foreign visitors to safeguarded sites; acquire and implement near-real-time surveillance at sensitive sites; use fees to fund inspections; and require advance notice and analysis of transfers of dual-use nuclear technologies.

I have long been a proponent of improving our nonproliferation efforts. Last month, I introduced the Energy Development Program Implementation Act, S. 1675, to support non-nuclear, alternative energy development in developing countries. In addition to this, I called for the Government Accountability Office to examine proliferation risks in IAEA’s Technical Cooperation Program and chaired numerous hearings on improving our Nation’s nonproliferation capabilities. We should remember that nuclear technology that can be used for peaceful uses may in some cases be used to support dangerous, clandestine programs.

I believe that promoting greater international cooperation toward nonproliferation is crucial. This bill would make the U.S. an even stronger partner in these efforts and enhance the ability of Congress to help tackle the dangers of nuclear proliferation.

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. 1931

*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 “Strengthening the Oversight of Nuclear Nonproliferation Act of 2009”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Energy and Commerce of the House of Representatives.

(2) **COMMISSION.**—The term “Commission” means the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism established by section 1851 of the Implementing Recommendation of the 9/11 Commission Act of 2007 (Public Law 110–53; 121 Stat. 501).

(3) **COORDINATOR.**—The term “Coordinator” means the President’s Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism established by section 1841(b)(1) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2931(b)(1)).

(4) **DEPUTY COORDINATOR.**—The term “Deputy Coordinator” means the Deputy United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism established under section 1841(b)(2) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2931(b)(2)).

(5) **HIGHLY ENRICHED URANIUM.**—The term “highly enriched uranium” means uranium that contains at least 20 percent of the uranium isotope 235.

(6) **IAEA.**—The term “IAEA” means the International Atomic Energy Agency.

(7) **SPECIAL NUCLEAR MATERIAL.**—The term “special nuclear material” has the meaning given the term in section 11(aa) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(aa)).

**SEC. 3. REPORT ON UNITED STATES NUCLEAR NONPROLIFERATION EFFORTS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Coordinator shall submit to the appropriate congressional committees an unclassified report, with classified annexes as necessary, on the findings and recommendations of the Commission described in subsection (b).

(b) **CONTENT.**—The report required under subsection (a) shall include the following:

(1) A description of the financial incentives the United States Government used during the previous year to promote civilian nu-

clear energy abroad, including the types, amounts, and recipients of such financial incentives.

(2) A description of the actions the United States Government has taken for improving the secure civilian storage of, and minimizing the use and export of, weapons usable highly enriched uranium during the previous year, and the amount the United States Government spends annually to fuel United States civilian reactors that use highly enriched uranium.

(3) A description of the actions that have been taken by the United States Government to implement title V of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3261 et seq.) during the previous year and any obstacles pertaining to its implementation with recommended actions.

(4)(A) A description of the steps the United States Government has taken during the previous year to upgrade the physical security of civilian nuclear facilities in the United States that store or handle special nuclear material.

(B) A comparison of the current physical security standards used at civilian nuclear facilities in the United States that store or handle special nuclear material to those standards used by the United States Armed Forces to secure such materials.

(5) A United States Government assessment of the capabilities of the IAEA, completed in consultation with all relevant United States Government agencies, including the Office of the Director of National Intelligence, including—

(A) the ability of IAEA to meet its own timely detection inspection goals;

(B) the ability of IAEA to afford timely detection of possible military diversions and whether or not the IAEA has met its own timely detection inspection goals; and

(C) recommendations for whether and how the IAEA should update its definitions of how much special nuclear material is needed to create a nuclear bomb and how long it takes to convert such special nuclear material into nuclear bombs.

(c) **ABSENCE OF THE COORDINATOR AND THE DEPUTY COORDINATOR.**—The President shall submit the report required under this section if neither the Coordinator nor the Deputy Coordinator have been appointed pursuant to section 1841(b)(3) of the Implementing Recommendation of the 9/11 Commission Act of 2007 (50 U.S.C. 2931(b)(3)).

**SEC. 4. REPORT ON UNITED STATES WORK WITH IAEA ON NUCLEAR NONPROLIFERATION.**

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Coordinator shall submit to the appropriate congressional committees an unclassified report, with classified annexes as necessary, on the findings and recommendations of the Commission under subsection (b).

(b) **CONTENT.**—The report required under subsection (a) shall include details about the progress of the work of the United States Government with the IAEA Director General to—

(1) establish a safeguards user fee, whereby countries with inspected facilities would be assessed a fee to help cover the costs of IAEA inspections;

(2) assess whether the IAEA can meet its own inspection goals, whether those goals afford timely detection to account for a bomb’s worth of special nuclear material, whether there are situations in which achieving those goals is not possible, and what corrective actions, if any, might help the IAEA to achieve its inspection goals;

(3) promote transparency at suspect sites and to encourage IAEA member states to maintain a registry, made available to other

IAEA members upon request, of all foreign visitors at safeguarded sites;

(4) provide for the acquisition and implementation of near-real-time surveillance equipment in the use of safeguards, including at sites where nuclear fuel rods are located; and

(5) require that the transfer of all items on the Nuclear Suppliers Group dual-use and trigger lists be reported to the IAEA in advance and develop a system to process and analyze the information.

(C) ABSENCE OF THE COORDINATOR AND THE DEPUTY COORDINATOR.—The President shall submit the report required under this section if neither the Coordinator nor the Deputy Coordinator have been appointed pursuant to section 1841(b)(3) of the Implementing Recommendation of the 9/11 Commission Act of 2007 (50 U.S.C. 2931(b)(3)).

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the reporting requirements under sections 3 and 4 for fiscal year 2010 and each subsequent year thereafter.

By Mr. MCCAIN (for himself and Mr. BENNET):

S. 1932. A bill to amend the Elementary and Secondary Education Act of 1965 to allow members of the Armed Forces who served on active duty on or after September 11, 2001, to be eligible to participate in the Troops-to-Teachers Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. MCCAIN. Mr. President, today I am pleased to be joined by Senator MICHAEL BENNET in introducing the Post-9/11 Troops to Teachers Enhancement Act. This legislation would allow more veterans and school districts to participate in the Troops to Teachers program. In addition to expanding the program, the proposed bill would create an advisory board that would be charged with improving awareness and participation of the program, ensuring that the program meets the needs of our schools and veterans. I hope that my colleagues in the Senate will also support this important piece of legislation.

In 1994, Congress authorized the Department of Defense, DOD, to oversee a new national program, Troops to Teachers, which was designed as a Transition assistance program for retiring or separating members of the military to obtain their teaching credentials and place these teachers in schools throughout the country. The program was reauthorized by Congress in 1999. That reauthorization transferred responsibility for oversight and funding from the DOD to the Department of Education and authorized \$10,000 bonuses to participants who agreed to teach in “high-need” schools. Troops to Teachers was later incorporated and reauthorized under the No Child Left Behind Act of 2001. Since its inception, over 11,000 teachers have been hired by school districts across the Nation, of which many are non-traditional first-time teachers.

Teaching is among the most honorable professions in our society. I believe we should encourage military vet-

erans to enter the teaching profession and that this bipartisan bill would further enhance the Troops-to-Teachers program. Simply put, the proposed legislation would reduce the years of military service requirements from 6 to 4, extend the eligibility to all schools that receive Title I funds, and create an advisory board that would coordinate and make recommendations to Congress in regards to the program.

Current eligibility guidelines for the Troops to Teachers require that members of the military have 6 years of service and that members of the guard and reserve have 10 years of service with a commitment to serve an additional 3 years. The requirement of 6 years active duty is leaving many single enlistment contract 4 year veterans and/or Guard members out of consideration. Lowering the required years of service would expand eligibility and create a larger pool of potential teachers for this program.

Under the current Troops to Teachers program, participants who agree to teach for 3 years in a “high need” schools are eligible to receive a \$5000 stipend to offset the cost of teacher certification. The proposed legislation would extend the eligibility for the stipend to any eligible teacher who agrees to teach 3 years in a school that is in a district receiving Title I funds. The proposed bill would retain the optional bonus of \$10,000 which is available to individuals who take jobs in low-income schools. This legislation would result in a 49 percent in the number of eligible schools for the program. For my home State of Arizona, over 600 additional schools would become eligible to participate in the program.

A recent GAO Report revealed that although Troops to Teachers is a successful program, it suffers from a lack of coordination and oversight. To remedy this concern, the proposed legislation would create an advisory board that consists of a representative from the Department of Defense, the Department of Education, and representatives from state offices and veteran’s service organizations to make recommendations on ways to improve and expand the program.

Our veterans make excellent candidates to impart the virtues of serving to a cause to the next generation and instill the value of learning as a means to self-improvement and much nobler ends. Their unique experiences bring a more diverse teaching environment to our children and grandchildren.

By Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. WHITEHOUSE, and Mr. UDALL of New Mexico):

S. 1933. A bill to establish an integrated Federal program that protects, restores, and conserves natural resources by responding to the threats and effects of climate change, and for other purposes; to the Committee on Environment and Public Works.

Mr. BINGAMAN. Mr. President, today I am introducing the Natural Re-

sources Climate Adaptation Act. I am pleased that Senators WHITEHOUSE, BAUCUS, and TOM UDALL have joined me as original cosponsors.

The science is clear that climate change is happening and numerous scientific reports as well as the everyday experience of many Americans—demonstrate that the impacts have already begun to affect ecosystems across the country. This bill recognizes that quick action is needed to insure the long-term viability of ecosystems on which our communities as well as our fish and wildlife depend. It will support and enable Federal and State agencies and other interested parties to address the negative impacts of climate change on our natural resources in the most effective possible ways.

We know that healthy, functioning ecosystems are vital to human health, economic viability, and fish and wildlife populations. I believe that we are at a critical juncture in protecting our valuable natural resources. In solving the climate change problem we must ensure the well-being of our natural world if we are to have a thriving economy and a healthy environment. This is the reason I am introducing this bill.

This is not a problem that is hypothetical. Climate change impacts are irrevocably affecting our natural world and the health of our communities today, and these impacts will increase. We must act now.

We often forget that healthy ecosystems are essential to human as well as wildlife needs. They are necessary to provide us, for example, with a clean and abundant drinking water supply, clean air to breathe, and a well-functioning economy in addition to habitat for a diversity of fish, wildlife, and plant species. Not to mention a place to take our children fishing, and to enjoy the personal inspiration of the natural world.

My home State of New Mexico is a dry State and the challenges associated with climate change are already impacting our land and our water supplies. There are already many competing demands for our limited water resources which will only be heightened by the effects of climate change. Existing threats to our public lands such as wildfires and deforestation may become more prevalent. New Mexico’s Bandelier National Park has recently been identified as one of the “25 National Parks in Peril” due to climate change related impacts and other treasures within our State may also be in jeopardy of degradation if actions are not taken to protect them.

Our landowners, ranchers, water managers, and State officials are working to evaluate and mitigate the current and expected impacts of a warming climate on our State’s natural resources and water supply. For instance, in 2005 the New Mexico Climate Change Council and Advisory Group prepared a report summarizing the potential impacts of climate change in New Mexico

and the State Engineer's office prepared an additional report on the impacts of climate change on the water supply and water management strategies. These reports are being used to guide State officials in addressing these issues. In addition, New Mexico has joined other western States to form the Western Regional Climate Initiative to coordinate efforts at reducing greenhouse gases.

The legislation introduced today seeks to complement existing natural resources-related programs in New Mexico and other States across the country. This legislation supports and facilitates the development and dissemination of scientific research on climate change between Federal agencies, States, Indian tribes and interested stakeholders. This ongoing research will in turn play a significant role in guiding these entities in the management of our natural resources.

This bill also establishes several forums to encourage effective coordination and communication in creating a Federal strategy and subsequent Federal and State adaptation plans that will help natural resources adjust to a changing climate. Finally, the Act provides additional funding for existing Federal and State wildlife conservation programs to be used exclusively for adaptation-related activities.

The Natural Resources Climate Adaptation Act follows on the good work of several of my colleagues in both the House and the Senate. Chairman RAHALL and Subcommittee Chairman GRIJALVA have developed legislation in this area, and their own adaptation bill, H.R. 2192, was incorporated into the broader cap-and-trade legislation that passed the House of Representatives earlier this year.

Senators KERRY and BOXER have adopted provisions similar to this bill in their climate legislation at the request of two leaders on the Environment and Public Works Committee: Senators BAUCUS and WHITEHOUSE. The legislation I am introducing today is complementary to the work that has already been done. My cosponsors and I share the same goal of making sure natural resources adaptation is included in any climate change legislation that comes before the Senate.

Many Americans already recognize the critical need for this legislation. A coalition of over 600 diverse groups has written to Congress describing the current and potential negative impacts of climate change on our natural resources and urging us to include language in any climate bill to address those impacts. By way of example, the groups in this coalition include environmental organizations, local Rod & Gun Clubs, fisheries coalitions, scientific research groups, and religious groups.

If we fail to act to address the impacts of climate change on our American landscape, the negative effects will be felt by all of us. I am committed to working through this legisla-

tion and other means to ensure that we do what is necessary to protect our precious natural resources from one of the greatest challenges ever faced.

I would like to thank Senators BAUCUS, WHITEHOUSE, and TOM UDALL for their leadership on this issue and their cosponsorship of this bill. I look forward to working with them and our colleagues to pass legislation to carry out this important purpose.

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. 1933

*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 "Natural Resources Climate Adaptation Act".

#### SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to integrate Federal agency activities to respond to ongoing and expected impacts of climate change (including, if applicable, ocean acidification, drought, invasive species, flooding, and wildfire) by protecting, restoring, and conserving the natural resources and associated ecosystem services of the United States; and

(2) to provide financial support and incentives for authorized programs, strategies, and activities to protect, restore, and conserve natural resources and associated ecosystem services in response to threats and effects of climate change.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) BOARD.—The term "Board" means the Natural Resources Adaptation Science Advisory Board established by section 4(e)(1).

(2) COASTAL STATE.—The term "coastal State" has the meaning given the term "coastal state" in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) CORRIDORS.—The term "corridors" means areas that—

(A) provide connectivity, over different time scales, of habitats or potential habitats; and

(B) facilitate terrestrial, marine, estuarine, and freshwater fish, wildlife, or plant movement necessary for migration, gene flow, or dispersal, to respond to the ongoing and expected impacts of climate change.

(4) ECOSYSTEM SERVICES.—

(A) IN GENERAL.—The term "ecosystem services" means the provision, by a healthy ecosystem, of natural resources to improve human health and livelihood.

(B) INCLUSIONS.—The term "ecosystem services" includes—

- (i) a clean and abundant water supply;
- (ii) carbon storage;
- (iii) biodiversity;
- (iv) pollination services;
- (v) wildlife habitat;
- (vi) recreation; and
- (vii) a scenic or historic landscape.

(5) HABITAT.—The term "habitat" means the physical, chemical, and biological properties that fish, wildlife, or plants use for growth, reproduction, survival, food, water, or cover.

(6) 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).

(7) NATURAL RESOURCES.—The term "natural resources" means land, wildlife, fish,

air, water, estuaries, plants, habitats, and ecosystems.

(8) NATURAL RESOURCES ADAPTATION.—The term "natural resources adaptation" means the protection, restoration, and conservation of natural resources so that natural resources become more resilient, adapt to, and withstand the ongoing and expected impacts of climate change.

(9) PANEL.—The term "Panel" means the Natural Resources Climate Change Adaptation Panel established under section 5(a).

(10) PLAN.—The term "plan" means a natural resources adaptation plan completed under section 7(a)(1).

(11) PROGRAM.—The term "program" means the National Fish and Wildlife Habitat and Corridors Information Program established by the Secretary under section 4(d)(1).

(12) RESILIENCE; RESILIENT.—The terms "resilience" and "resilient" mean—

(A) the ability to resist or recover from disturbance; and

(B) the ability to preserve diversity, productivity, and sustainability.

(13) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(14) STATE.—The term "State" means—

(A) a State of the United States;

(B) the District of Columbia;

(C) American Samoa;

(D) Guam;

(E) the Commonwealth of the Northern Mariana Islands;

(F) the Commonwealth of Puerto Rico; and

(G) the United States Virgin Islands.

(15) STATE PLAN.—The term "State plan" means a State natural resources adaptation plan prepared by a State under section 8(a).

(16) STRATEGY.—The term "Strategy" means the Natural Resources Climate Change Adaptation Strategy developed under section 6(a).

#### SEC. 4. NATURAL RESOURCES ADAPTATION SCIENCE AND INFORMATION.

(a) COORDINATION.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Secretary of Commerce (acting through the National Oceanic and Atmospheric Administration) (referred to in this section as the "Secretaries"), working with all other relevant Federal agencies, shall establish procedures for coordinating among Federal agencies the development and dissemination of science and information necessary to address the ongoing and expected impacts of climate change on natural resources.

(b) DEVELOPMENT AND DISSEMINATION OF SCIENCE.—The Secretaries shall—

(1) conduct and sponsor research, and facilitate the coordination of research among Federal agencies, to develop scientific strategies and mechanisms for natural resources adaptation;

(2) make available to Federal agencies, and other interested governmental or private entities, technical assistance to address the ongoing and expected impacts of climate change on natural resources; and

(3) assist Federal agencies in the development of natural resources adaptation plans required by section 7.

(c) SURVEY.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Secretaries and the Secretary of Agriculture shall issue a climate change impact survey, in coordination with other relevant Federal agencies, that—

(1) identifies natural resources considered likely to be adversely affected by climate change;

(2) includes baseline monitoring and ongoing trend analysis; and

(3) in consultation with States and Indian tribes and with input from stakeholders,

identifies and prioritizes necessary monitoring and research that is most relevant to the needs of Federal natural resource managers to address the ongoing and expected impacts of climate change and natural resources adaptation.

(d) WILDLIFE HABITAT AND CORRIDORS INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in cooperation with the States, Indian tribes, and other Federal land managers, shall establish a program to be known as the “National Fish and Wildlife Habitat and Corridors Information Program”.

(2) PURPOSES.—The purposes of the program are—

(A) to develop with States and Indian tribes a comprehensive national geographic information system database of maps, models, data, surveys, informational products, and other geospatial information regarding fish and wildlife habitat and corridors that—

- (i) is based on consistent protocols;
- (ii) takes into account regional differences; and
- (iii) uses available geographical information system databases and other tools, including the National Biological Information Infrastructure maintained by the Secretary and nongovernmental organizations; and

(B) to facilitate the use of the database described in subparagraph (A) by Federal, State, local, and tribal decisionmakers to incorporate qualitative information on fish and wildlife habitats and corridors at the earliest practicable stage for use in—

(i) prioritizing and targeting natural resources adaptation strategies and activities, including strategies and activities that enhance the ability of species to respond to shifting habitat; and

(ii) avoiding, minimizing, and mitigating the impacts on fish and wildlife habitat and corridors when locating energy development, water, transmission, transportation, and other land use projects;

(3) FINANCIAL AND OTHER SUPPORT.—The Secretary may provide support to the States and Indian tribes, including financial and technical assistance, for activities that support the development and implementation of the program.

(4) CONSULTATION.—In consultation with States and Indian tribes, the Secretary shall make recommendations on the manner by which the information collected and managed under the program may be incorporated into relevant Federal and State plans that affect fish and wildlife, including—

(A) land management plans;

(B) State comprehensive wildlife conservation strategies; and

(C) applicable conservation plans of Indian tribes.

(e) NATURAL RESOURCES ADAPTATION SCIENCE ADVISORY BOARD.—

(1) ESTABLISHMENT.—The Secretaries and the Secretary of Agriculture shall—

(A) not later than 180 days after the date of enactment of this Act, establish and appoint the members of a Natural Resources Adaptation Science Advisory Board; and

(B) on an ongoing basis, coordinate the activities of the Board.

(2) MEMBERSHIP.—The Board shall be composed of not fewer than 10 and not more than 20 members—

(A) who have expertise in fish, wildlife, plant, aquatic, coastal and marine biology, ecology, hydrology, climate change effects, or other relevant scientific disciplines;

(B) who represent a balanced membership among Federal, State, tribal, and local representatives, and diverse interests, including institutions of higher education and relevant nongovernmental organizations and conservation organizations; and

(C) at least ½ of whom are recommended by the President of the National Academy of Sciences.

(3) DUTIES.—The Board shall—

(A) advise all relevant Federal agencies on the state of the science regarding—

(i) the ongoing and expected impacts of climate change; and

(ii) scientific strategies and mechanisms for natural resources adaptation; and

(B) identify and recommend priorities for ongoing research needs on the issues described in subparagraph (A).

(4) AVAILABILITY TO THE PUBLIC.—The advice and recommendations of the Board shall be made available to the public.

(f) NATIONAL CLIMATE CHANGE AND WILDLIFE SCIENCE CENTER.—

(1) ESTABLISHMENT.—The Secretary shall establish the National Climate Change and Wildlife Center within the United States Geological Survey.

(2) FUNCTIONS.—In collaboration with Federal and State natural resources agencies and departments, Indian tribes, institutions of higher education, and other partner organizations, the Center shall—

(A) assess and synthesize current physical and biological knowledge relating to the impacts of climate change on fish, wildlife, plants, and associated habitat;

(B) prioritize scientific gaps in the knowledge in order to forecast the ecological impacts of climate change on fish, wildlife, and plants at the ecosystem, habitat, community, population, and species levels;

(C) develop and improve tools to forecast, adaptively manage, and monitor the impacts of climate change on fish, wildlife, plants, and associated habitats, including predictive models, and risk assessments; and

(D) develop capacities for synthesizing data and for sharing standardized data and methodology.

**SEC. 5. NATURAL RESOURCES CLIMATE CHANGE ADAPTATION PANEL.**

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall establish a Natural Resources Climate Change Adaptation Panel.

(b) DUTIES.—The Panel shall—

(1) develop the Strategy; and

(2) serve as a forum for interagency consultation on the implementation of the Strategy.

(c) MEMBERSHIP.—The Panel shall be composed of—

(1) the Administrator of the National Oceanic and Atmospheric Administration;

(2) the Chief of the Forest Service;

(3) the Director of the National Park Service;

(4) the Director of the United States Fish and Wildlife Service;

(5) the Director of the Bureau of Land Management;

(6) the Director of the United States Geological Survey;

(7) the Commissioner of Reclamation;

(8) the Director of the Bureau of Indian Affairs;

(9) the Director of the Minerals Management Service;

(10) the Administrator of the Environmental Protection Agency;

(11) the Administrator of the Federal Emergency Management Agency;

(12) the Chief of Engineers; and

(13) the heads of other Federal agencies, as determined by the President.

(d) CHAIRPERSON.—The Chair of the Council on Environmental Quality shall serve as the Chairperson of the Panel.

**SEC. 6. NATURAL RESOURCES CLIMATE CHANGE ADAPTATION STRATEGY.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act,

the Panel shall develop a Natural Resources Climate Change Adaptation Strategy.

(b) DEVELOPMENT.—In developing and revising the Strategy, the Panel shall—

(1) base the strategy on the best available science;

(2) develop the strategy in close cooperation with States and Indian tribes;

(3) coordinate with other Federal agencies, as appropriate;

(4) consult with local governments, conservation organizations, scientists, private sector interests, and other interested stakeholders; and

(5) provide public notice and opportunity for comment.

(c) CONTENTS.—The Strategy shall—

(1) assess the vulnerability of regions and types of natural resources to climate change, including short-term, medium-term, long-term, and cumulative impacts;

(2) describe current research and monitoring activities at the Federal, State, tribal, and local level related to—

(A) the ongoing and expected impacts of climate change on natural resources; and

(B) scientific strategies and mechanisms for natural resources adaptation;

(3) identify and prioritize research and data needs; and

(4) provide direction to Federal agencies, and make guidance available to States, Indian tribes, local governments, and other interested parties for use in responding to the impacts of climate change, including—

(A) actions that Federal agencies should implement through their natural resources adaptation plans and recommendations for actions that States, Indian tribes, local governments, and other interested parties may implement to promote natural resources adaptation; and

(B) a timeline for implementation of the Strategy; and

(5) describe specific mechanisms for ensuring communication and coordination—

(A) among Federal agencies; and

(B) between Federal agencies and State natural resource agencies, Indian tribes, interested private landowners, conservation organizations, and other countries that share jurisdiction over natural resources with the United States.

(d) REVISION.—After the Panel adopts the initial Strategy, the Panel shall review and revise the Strategy every 5 years to incorporate—

(1) new information regarding the ongoing and expected impacts of climate change on natural resources; and

(2) new advances in the development of strategies and mechanisms for natural resources adaptation.

**SEC. 7. FEDERAL AGENCY NATURAL RESOURCES ADAPTATION PLANS.**

(a) DEVELOPMENT.—Not later than 1 year after the date of development of the Strategy, each Federal agency with representation on the Panel shall—

(1) complete a natural resources adaptation plan for that Federal agency;

(2) provide opportunities for public review and comment on the plan;

(3) coordinate with the plan of each other Federal agency with representation on the Panel; and

(4) submit the plan to the President for review and submission to Congress.

(b) REQUIREMENTS.—Each plan shall—

(1) implement the Strategy;

(2) include a timeline for implementation of the plan;

(3) describe and prioritize proposed natural resources adaptation actions for natural resources managed or impacted by activities authorized by the Federal agency;

(4) describe how the Federal agency will modify or establish other plans, programs,

activities, or actions in accordance with applicable authority, if necessary, to implement the plan;

(5) provide for the inclusion of climate change and impact data in natural resources management decisions;

(6) establish monitoring protocols—

(A) to assess the effectiveness of the natural resources adaptation actions taken by the Federal agency pursuant to the plan; and

(B) to update those actions to respond to monitoring results, other new information, and changing conditions;

(7) establish a process for providing written guidance to Federal natural resource managers for implementing the natural resources adaptation actions identified in the plan;

(8) identify and assess gaps in data and information useful in developing the plan; and

(9) establish protocols to collect, integrate, and share standardized climate change and impact data with Federal, State, tribal, and nongovernmental organizations, private landowner partners, and the general public.

(c) **PRESIDENTIAL REVIEW AND SUBMISSION TO CONGRESS.**—

(1) **REVIEW.**—Not later than 30 days after the date of submission of a plan to the President, the President shall—

(A) review the plan for consistency with the requirements of this Act; and

(B) if consistent, submit the plan to Congress in accordance with this subsection, together with a statement confirming the consistency of the plan with this Act.

(2) **INCONSISTENCY.**—If the President finds a plan of a Federal agency to be inconsistent with this Act, the President shall direct the agency to submit a revised plan not later than 60 days after the finding.

(3) **SUBMISSION TO CONGRESS.**—The President shall submit plans determined to be consistent with this Act to—

(A) the Committee on Natural Resources of the House of Representatives;

(B) the Committee on Energy and Natural Resources of the Senate;

(C) the Committee on Environment and Public Works of the Senate; and

(D) any other committees of the House of Representatives or the Senate with principal jurisdiction over the Federal agency.

(d) **IMPLEMENTATION.**—On submission by the President to Congress, each Federal agency shall, pursuant to and consistent with applicable authority, implement the plan.

(e) **REVISION AND REVIEW.**—Not less than every 5 years, each Federal agency with representation on the Panel shall review and revise the plan of the Federal agency to incorporate the best available science regarding—

(1) the ongoing and expected impacts of climate change on natural resources; and

(2) the scientific strategies and mechanisms for natural resources adaptation.

#### **SEC. 8. STATE NATURAL RESOURCES ADAPTATION PLANS.**

(a) **REQUIREMENT.**—In order to be eligible for funds under section 9, not later than 1 year after the development of the Strategy, each State shall prepare a State natural resources adaptation plan to address the ongoing and expected impacts of climate change on natural resources within the State.

(b) **CONTENTS.**—A State plan shall—

(1) include actions for addressing the ongoing and expected impacts of climate change on natural resources that—

(A) describe and prioritize proposed natural resources adaptation actions for natural resources managed or impacted by activities authorized by the State;

(B) include a time frame for implementing the natural resources adaptation actions;

(C) are incorporated into a revision of the State wildlife action plan (also known as the

State comprehensive wildlife strategy) that has been—

(i) submitted to the United States Fish and Wildlife Service; and

(ii) approved, or is pending approval, by the United States Fish and Wildlife Service; and

(D) are developed—

(i) with the participation of the relevant State agencies considered appropriate by the Governor of the State; and

(ii) in coordination with other States and Indian tribes that share jurisdiction or cooperative management responsibilities over natural resources with the State; and

(2) identify and assess gaps in data useful in developing the State plan.

(c) **REVIEW AND APPROVAL.**—

(1) **IN GENERAL.**—The Secretary and, in the case of parts of the State plan relating to a coastal State, the Secretary of Commerce shall review each State plan, and approve the State plan if the State plan—

(A) meets the requirements of subsection (b); and

(B) is consistent with the other requirements of this Act.

(2) **DEADLINE.**—The Secretary and, as applicable, the Secretary of Commerce shall approve or disapprove the State plan by written notice not later than 180 days after the date of submission of the State plan (or a revised State plan).

(3) **RESUBMISSION.**—Not later than 90 days after the date of resubmission of a State plan that has been disapproved under this subsection, the Secretary and, as applicable, the Secretary of Commerce, shall approve or disapprove the resubmitted State plan by written notice.

(d) **PUBLIC INPUT.**—In developing the State plan, a State shall solicit and consider the input of local governments, the public, and independent scientific input.

(e) **COORDINATION WITH OTHER PLANS.**—The State plan shall, if appropriate, integrate the goals and measures set forth in other natural resources conservation strategies established pursuant to applicable law (including regulations), including—

(1) the National Fish Habitat Action Plan;

(2) plans under the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.);

(3) the Federal, State, and local partnership known as “Partners in Flight”;

(4) federally approved coastal zone management plans under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.);

(5) federally approved regional fishery management plants and habitat conservation activities under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

(6) the National Coral Reef Action Plan;

(7) recovery plans for threatened species and endangered species under section 4(f) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f));

(8) habitat conservation plans under section 10 of that Act (16 U.S.C. 1539);

(9) the plans for imperiled species of other Federal agencies, States, and Indian tribes;

(10) plans under subtitle F of title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10361 et seq.) and other applicable law;

(11) the hazard mitigation plans of States and Indian tribes;

(12) the water management plans of States and Indian tribes;

(13) State property insurance programs; and

(14) other State-based strategies that implement natural resources adaptation activities to remediate the ongoing and expected effects of climate change.

(f) **UPDATING.**—Each State plan shall be updated at least every 5 years.

(g) **FUNDING.**—

(1) **IN GENERAL.**—Funds allocated to States under section 9 shall be used only for activities consistent with a State plan approved by the Secretary and, as appropriate, the Secretary of Commerce.

(2) **FUNDING PRIOR TO THE APPROVAL OF A STATE PLAN.**—Until the earlier of the date that is 3 years after the date of the enactment of this Act or the date on which a State plan is approved, a State shall be eligible to receive funding under section 9 for natural resources adaptation activities that are—

(A) consistent with the comprehensive wildlife strategy of the State and, where appropriate, other natural resources conservation strategies; and

(B) in accordance with a work plan made available to relevant Federal agencies.

(3) **PENDING APPROVAL.**—During the period for which approval of a State plan by the applicable Secretary is pending, the State may continue to receive funds under this Act pursuant to the work plan described in paragraph (2)(B).

#### **SEC. 9. NATURAL RESOURCES CLIMATE CHANGE ADAPTATION FUND.**

(a) **ESTABLISHMENT OF FUND.**—There is established in the Treasury a separate account, to be known as the “Natural Resources Climate Change Adaptation Fund” (referred to in this section as the “Fund”).

(b) **AVAILABILITY OF AMOUNTS.**—

(1) **IN GENERAL.**—All amounts deposited into the Fund shall be available without further appropriation or fiscal year limitation.

(2) **PAYMENTS.**—Subject to the requirements of programs authorized as of the date of enactment of this Act, the Secretary and the Secretary of Agriculture may distribute payments from the Fund in accordance with subsection (c).

(c) **DISTRIBUTION OF AMOUNTS.**—

(1) **STATES.**—Of the amounts made available for each fiscal year to carry out this Act, 38.5 percent shall be provided to the Secretary for distribution to States to carry out natural resources adaptation activities in accordance with natural resources adaptation plans approved under section 8, and shall be distributed as follows:

(A) 32.5 percent shall be available to State wildlife agencies in accordance with the apportionment formula established under the second subsection (c) (relating to the apportionment of the Wildlife Conservation and Restoration Account) of section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c); and

(B) 6 percent shall be available to State coastal agencies pursuant to the formula established by the Secretary of Commerce under section 306(c) of the Coastal Management Act of 1972 (16 U.S.C. 1455(c)).

(2) **NATURAL RESOURCES ADAPTATION.**—Of the amounts made available for each fiscal year to carry out this Act—

(A) 17 percent shall be allocated to the Secretary for use in funding—

(i) natural resources adaptation activities carried out—

(I) under endangered species, migratory species, and other fish and wildlife programs administered by the National Park Service, the United States Fish and Wildlife Service, the Bureau of Indian Affairs, and the Bureau of Land Management;

(II) on wildlife refuges, National Park Service land, and other public land under the jurisdiction of the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Indian Affairs, or the National Park Service;

(III) by the Bureau of Reclamation;

(IV) by the United States Geological Survey; and

(V) in Indian Country or on Native village or Regional Corporation land in Alaska; and (ii) the implementation of the program;

(B) 5 percent shall be allocated to the Secretary for natural resources adaptation activities carried out through cooperative grant programs, such as—

(i) the cooperative endangered species conservation fund authorized under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535);

(ii) programs under the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.);

(iii) the Neotropical Migratory Bird Conservation Fund established by section 9(a) of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6108(a));

(iv) the Coastal Program of the United States Fish and Wildlife Service;

(v) the National Fish Habitat Action Plan dated April 24, 2006 (including any revisions or amendments made to the National Fish Habitat Action Plan after April 24, 2006);

(vi) the Partners for Fish and Wildlife Program, as carried out by the Secretary under section 4 of the Partners for Fish and Wildlife Act (16 U.S.C. 3773);

(vii) the Landowner Incentive Program, as established by the Secretary in the matter under the heading "LANDOWNER INCENTIVE PROGRAM" under the heading "UNITED STATES FISH AND WILDLIFE SERVICE" of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54; 119 Stat. 504);

(viii) the Wildlife Without Borders Program of the United States Fish and Wildlife Service;

(ix) the Migratory Species Program and Park Flight Migratory Bird Program of the National Park Service;

(x) the Water for America or other programs carried out by the Bureau of Reclamation; and

(xi) programs under—

(I) subtitle A of title VI of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1015 et seq.);

(II) subtitle F of title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10361 et seq.); and

(III) other applicable law;

(C) 3 percent shall be allocated to the Secretary to provide financial assistance to Indian tribes to carry out natural resources adaptation activities through the Tribal Wildlife Grants Program of the United States Fish and Wildlife Service or other programs; and

(D) 12 percent shall be allocated for acquisition of land or interests in land to carry out natural resources adaptation activities as follows:

(i)  $\frac{1}{2}$  shall be allocated to the Secretary of Agriculture to provide financial assistance to States and Indian tribes to carry out natural resources adaptation activities through the acquisition of land and interests in land under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

(ii)(I) The remainder  $\frac{5}{8}$  shall be deposited in the Land and Water Conservation Fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5) to be further allocated as follows:

(aa)  $\frac{1}{2}$  of the funds provided by this subparagraph shall be allocated to the Secretary to carry out natural resources adaptation activities through the acquisition of land and interests in land under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8), to be made available on a competitive basis to States, in accordance with the natural resources adaptation plans of

States, and to Indian tribes, and in accordance with subclause (IV).

(bb)  $\frac{1}{4}$  of the funds provided by this subparagraph shall be allocated to the Secretary to carry out natural resources adaptation activities through the acquisition of lands and interests in land under section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9).

(cc)  $\frac{1}{4}$  of the funds provided by this subparagraph shall be allocated to the Secretary of Agriculture to carry out natural resources adaptation activities through the acquisition of land and interests in land under section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9).

(II) Deposits in the Land and Water Conservation Fund under this clause shall—

(aa) be supplemental to funds provided under section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6), which shall remain available for nonadaptation needs; and

(bb) be available to carry out this Act without further appropriation or fiscal year limitation.

(III) Amounts under subclause (I)(aa) shall be made available—

(aa) notwithstanding section 5 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-7); and

(bb) in addition to any funds provided pursuant to appropriations, the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.), or any other authorization.

(iii) In allocating funds under this subparagraph, the Secretary and the Secretary of Agriculture shall take into consideration factors including—

(I) the availability of non-Federal contributions from State, local, or private sources;

(II) opportunities to protect fish and wildlife corridors or otherwise to link or consolidate fragmented habitats;

(III) opportunities to reduce the risk of severe wildfires, drought, extreme flooding, or other climate-related events that are harmful to fish and wildlife and people; and

(IV) the potential for conservation of species or habitat types at serious risk due to climate change.

(3) NATIONAL FOREST AND GRASSLAND ADAPTATION.—Of the amounts made available for each fiscal year to carry out this Act, 5 percent shall be allocated to the Forest Service, through the Secretary of Agriculture—

(A) to fund natural resources adaptation activities (including water-related adaptation activities) carried out in national forests and national grasslands under the jurisdiction of the Forest Service; and

(B) to carry out natural resources adaptation activities on State, tribal, and private forest land carried out under the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.) and other authorized cooperative grant programs.

(4) COASTAL, ESTUARINE, AND MARINE SYSTEM ADAPTATION.—Of the amounts made available for each fiscal year to carry out this Act, 7 percent shall be allocated to the Secretary of Commerce, working in cooperation with other Federal agencies, States, Indian tribes, local governments, scientists, and other conservation partners, to fund coastal, estuarine, and marine natural resources adaptation activities, through programs such as—

(A) the coastal and estuarine land conservation program administered by the National Oceanic and Atmospheric Administration;

(B) the community-based restoration program for fishery and coastal habitats established under section 117 of the Magnuson-Stevens Fishery Conservation and Manage-

ment Reauthorization Act of 2006 (16 U.S.C. 1891a);

(C) the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) that are specifically designed to strengthen the ability of coastal, estuarine, and marine resources, habitats, and ecosystems to adapt to and withstand the ongoing and expected impacts of climate change;

(D) the Open Rivers Initiative;

(E) the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

(F) the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(H) the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.);

(I) the Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.); and

(J) the Estuary Restoration Act of 2000 (33 U.S.C. 2901 et seq.).

(5) ESTUARINE AND FRESHWATER ECOSYSTEM ADAPTATION.—Of the amounts made available for each fiscal year to carry out this Act, 7.5 percent shall be allocated to the Administrator of the Environmental Protection Agency and 5 percent shall be available to the Secretary of the Army for use by the Corps of Engineers, working in cooperation with other applicable Federal agencies, for natural resources adaptation activities for—

(A) large-scale freshwater aquatic ecosystems, such as the Everglades, the Great Lakes, Flathead Lake, the Missouri River, the Mississippi River, the Colorado River, the Sacramento-San Joaquin Rivers, the Ohio River, the Columbia-Snake River System, the Apalachicola, Chattahoochee, and Flint River System, the Connecticut River, Middle Rio Grande River, and the Yellowstone River;

(B) large-scale estuarine ecosystems, such as Chesapeake Bay, Long Island Sound, Puget Sound, the Mississippi River Delta, the San Francisco Bay Delta, Narragansett Bay, and Albemarle-Pamlico Sound;

(C) freshwater and estuarine ecosystems, watersheds, and basins identified and prioritized by the Administrator of the Environmental Protection Agency or the Corps of Engineers, working in cooperation with other Federal agencies, States, tribal governments, local governments, scientists, and other conservation partners;

(D) estuary habitat restoration projects authorized by the Estuary Restoration Act of 2000 (33 U.S.C. 2901 et seq.);

(E) aquatic restoration and protection projects authorized by section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330); and

(F) other appropriate programs and activities.

(d) USE OF FUNDS BY FEDERAL AGENCIES.—Funds allocated to Federal agencies under this section shall only be used for natural resources adaptation activities consistent with a natural resources adaptation plan approved under section 7.

(e) STATE COST SHARING.—Notwithstanding any other provision of law, a State that receives a grant under this section shall use funds from non-Federal sources to pay not less than 10 percent of the costs of each activity carried out under the grant.

#### SEC. 10. ADDITIONAL PROVISIONS REGARDING INDIAN TRIBES.

(a) FEDERAL TRUST RESPONSIBILITY.—Nothing in this Act alters the Federal trust responsibility to any Indian tribe, or any treaty or other right of any Indian tribe.

(b) APPLICATION OF OTHER LAW.—The Secretary may apply the provisions of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) in the implementation of this Act.

By Mr. BAUCUS (for himself, Mr. KERRY, and Mrs. SHAHEEN):

S. 1934. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax on income from assets held abroad, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, today, I am pleased to introduce the Foreign Account Tax Compliance Act of 2009.

The bill gives the IRS powerful tools to find US taxpayers who are hiding their money in offshore accounts. It includes strong incentives for individuals to properly report income from assets held in offshore accounts. The days of sending your money offshore to avoid paying US taxes are over.

This package is the result of a collaborative effort with the House and has the support of the White House and the Treasury Department. It is fully consistent with the policies in the preliminary draft of offshore compliance proposals that I released in March of this year to detect, deter, and discourage offshore tax evasion.

The bill is a practical solution to a very challenging problem. For the first time, the tax law would authorize the IRS to receive information reports from foreign financial institutions disclosing the identities of their US account holders and the amounts being held in the accounts.

Individuals with offshore accounts would be required to provide details of those accounts on their tax returns.

Trust rules would be significantly strengthened to prevent the true beneficiaries from hiding behind a nominee owner.

It will not be so easy to hide your money from Uncle Sam anymore.

Following the recommendation of the Government Accountability Office, the IRS would have more time, up to 6 years, to find and examine unreported and misreported offshore transactions.

Robust penalties would be in place for those who still try to skirt the rules.

This bill would improve tax compliance without raising taxes on anyone. These are taxes that already are legally owed.

Those who game the tax system by hiding their money in offshore accounts, like those in the recent UBS scandal, unfairly shift the tax burden to honest taxpayers who comply with their tax obligations. The IRS estimates that up to 52,000 individuals hid billions of dollars in offshore accounts through UBS.

Offshore tax evasion is a significant part of the tax gap and it has gone on long enough.

I believe this bill will be a turning point in putting an end to offshore tax evasion.

I look forward to working with my Colleagues here in the Senate and in

the House to enact this important piece of legislation this year.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. LAUTENBERG, Mr. SCHUMER, Mr. THUNE, and Ms. KLOBUCHAR):

S. 1938. A bill to establish a program to reduce injuries and deaths caused by cellphone use and texting while driving; to the Committee on Environment and Public Works.

Mr. ROCKEFELLER. Mr. President, today I am introducing comprehensive, bipartisan legislation to reduce deaths and injuries caused by drivers texting and holding cell phones, I am delighted to have four original cosponsors join me today: Senator HUTCHISON, the ranking member of the Senate Commerce, Science and Transportation Committee; Senator LAUTENBERG, the chairman of the Senate Commerce Committee's Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee, Senator SCHUMER, and Mr. THUNE, the ranking member of the Surface Transportation and Merchant Marine Subcommittee.

According to the Department of Transportation, distracted drivers last year killed 5,800 people. Distraction was a factor in 16 percent of all traffic fatalities. In addition, distracted drivers injured 515,000 people, which accounted for 22 percent of all people injured in traffic accidents.

Distracted driving covers a range of activities: eating, reaching for an object, texting, or using a cell phone. An analysis of 5,471 passenger vehicle crashes investigated by the National Highway Traffic Safety Administration, NHTSA, found that 18 percent of drivers just prior to the crash were engaged in at least one non-driving activity, which included cell phone use.

We all know that the explosion of cell phone use and texting in the past three years has brought distracted driving to a new level of danger. Now we have the new data, provided by the same researchers who record seat belt use levels for NHTSA: at any given daylight hour, 11 percent of vehicles are driven by a person holding a handheld electronic device. That translates into 812,000 drivers not paying full attention to driving at any given moment of the day, which makes our roads more dangerous for everyone.

The statistics regarding deaths and injuries caused by distracted drivers provide the foundation for us to act. But the tragic, individual stories of deaths and injuries to innocent people compel us to act.

In October 2008, 29-year-old Tiffany DeGroft was exchanging text messages with her boyfriend while driving her Jaguar on Braddock Road in Centreville, Virginia. The text messages indicate that her boyfriend was upset. His last text message read: "Why aren't you answering me now?" Tiffany DeGroft did not answer because her car had missed a curve in the road. She

was killed on impact. A Fairfax County detective said, "We found the phone on the floor in the open position. I suspect she was actually reading the text."

While that story is tragic, it becomes even more so when the person texting doesn't kill himself or herself, but innocent persons instead.

In September 2008, 13-year-old Margay Schee in Marion County, FL, was riding home from school in a school bus. A truck driver, who by his own admission was distracted by a cell phone conversation, slammed into the back of the bus, which had its flashers on while stopped. The bus caught fire, killing Margay in a vehicle that is designed to protect children.

In September 2006, college student Reggie Shaw sent 11 text messages over 30 minutes to his girlfriend as he drove his truck along a two-lane highway in rural Utah. Shaw sent the last text message one minute before he called police about the accident. Investigators concluded that Shaw sent that last text message just as he crossed the yellow line of the rural highway, striking an oncoming car. James Furaro and Keith O'Dell, both rocket scientists, were killed instantly.

Unlike some highway safety issues that are complicated to address, this one is not. Writing and reading text messages while driving a 2,000-pound vehicle is dangerous—not only for the driver, but also for the driver's passengers and everyone else using the roads. Crashes involving commercial vehicles—such as trucks and buses—can result in even more catastrophic accidents than passenger cars. An 80,000-pound truck will crush a small car like a soda can.

Texting takes a driver's eyes off the road for at least four seconds at a time—long enough at high speeds to travel the length of a football field. Under those circumstances, there is no time to react to a stopped car, a stop sign, or another road hazard. In fact, a recent study by the Virginia Tech Transportation Institute on behalf of the Federal Motor Carrier Safety Administration, FMCSA, found that motor vehicle operators who are texting are 23 times more likely to cause a crash, or near-crash, than a non-distracted driver. Deaths and injuries to innocent people are the inevitable and tragically avoidable result.

In 2006, the National Transportation Safety Board, after investigating several accidents, made a recommendation to the FMCSA to ban cell phone use by commercial driver's license holders who have endorsements to carry passengers or drive school buses. I commend the Transportation Secretary's recent actions to begin addressing these recommendations. But I am concerned that the Department of Transportation should be doing more to eliminate these unsafe driver distractions.

Several States have taken action to ban texting while driving, and to limit cell phone use to hands-free devices.

But not enough states have done so. Since Constitutional considerations prohibit the federal government from directing states to enact traffic laws, we at the federal level can only give states funding incentives to act with regard to passenger vehicle drivers. That is why I am today introducing the Distracted Driving Prevention Act of 2009.

First, this legislation would create a grant program to send money to states that enact laws to prohibit texting and hand-held cell phone use while driving. While we wish the states would enact these common-sense safety measures on their own, the history of highway safety tells us that many states will fail to act unless we give them an incentive to do so.

To qualify for a federal grant, a state must enact an absolute ban on texting while driving. No exceptions. There should be no exception for a driver taking his or her eyes off the road. For states to receive the grant, the prohibition on texting must have significant penalties, including increased fines and other penalties for a driver who causes an accident while texting.

The second requirement for a State to receive a grant is to enact a law that bans holding a cell phone while driving. When people drive, both hands should be on the wheel. The grant program does not ask states to completely ban cell phone use by drivers; our legislation would allow the use of a hands-free device during a phone call. We also allow states to make exceptions for holding a cell phone to call for emergency services.

States qualifying for the grant must completely ban cell phone use by drivers under the age of 18. A driver under 18 years old may not even use a hands-free device. For these inexperienced drivers, the additional distraction of using a cell phone can be deadly. Many parents already encourage their teenage drivers to not use a cell phone while driving. But having the police enforce this law will be even more effective.

With more States enacting a ban on texting and hand-held cell phone use, we need to get the message out so that drivers obey the law. Our legislation would create a new national education campaign based upon the tremendous success of the recent drunk driving and seat belt advertising campaigns. These advertising campaigns are not only an opportunity to remind people of the law, but also a means by which to educate drivers about the dangers of texting and cell phone use. This education can change driver behavior even when law enforcement might not be present.

In addition to nationwide advertising, we also will direct NHTSA to target some local markets with advertising in states and cities that have already passed texting and cell phone use laws.

Unlike passenger vehicle drivers, a truck driver's vehicle is also his or her

office space. Devices to receive directions, follow-up on orders, or maintain contact with dispatchers are necessary to perform a truck driver's duties. These devices, too, can become distractions, as they require eyes and attention to be removed from the roadway. Therefore, this legislation would require the Secretary of Transportation to issue regulations within one year specifically on the use of electronic and wireless devices by commercial motor vehicle drivers and those who operate certain school buses. The Secretary would be authorized to ban the use of certain devices if the Secretary determines that they interfere with the safe operation of a commercial motor vehicle. The bill also would allow the Secretary to permit exceptions for emergency uses. We need to make sure that commercial motor vehicle drivers are operating their trucks and buses in the safest manner possible.

Furthermore, this legislation will require that states, as part of their federal grant for data collection, begin collecting distracted driving data about each vehicle crash, starting with the police reports of the crash. By requiring law enforcement officers to inquire about the possible role that texting or cell phone use might have played in a crash, and requiring states to collect that data, we can better understand the scope and causes of the distracted driving problem.

To bolster the new data collection at the state level, this legislation would require the Transportation Secretary to establish a dedicated program at the Transportation Department to study all forms of distracted driving across all modes of transportation. Better research is essential to finding the best strategies for reducing deaths and injuries caused by distracted driving.

This legislation also charges the Federal Communications Commission with studying potential initiatives to raise awareness and reduce the problems caused by distracted driving. By bringing aboard the agency with oversight of wireless carriers, we add another stakeholder that can help us develop creative solutions to address this problem.

One last note about this legislation: it is paid for. The grant program that encourages states to enact a primary seat belt law has run a surplus in recent years as the number of states enacting a new primary seat belt law has slowed. Any state that enacts a new primary seat belt law in 2010 and 2011 would still receive their safety belt grant. But the remainder of the funding for that program will be redirected for the nationwide distracted driving advertising campaigns, and sent as grants to states that prohibit texting and hand-held cell phone use.

Creating incentives for states to take action against distracted driving, launching a nationwide campaign to educate drivers about the dangers of texting and cell phone use, and collecting better data about driver behav-

ior will result in fewer deaths and injuries on our nation's roads.

I ask my colleagues to support this comprehensive bill that will save lives and prevent injuries by reducing distracted driving.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 323—HONORING EDWARD W. BROOKE, III, FORMER UNITED STATES SENATOR FOR THE COMMONWEALTH OF MASSACHUSETTS, ON THE OCCASION OF HIS 90TH BIRTHDAY

Mr. BURRIS (for himself, Mr. KERRY, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 323

Whereas Edward W. Brooke, III, served in the United States Senate with great dedication, integrity, and professionalism as a trusted colleague from the Commonwealth of Massachusetts;

Whereas Edward Brooke was the first African American elected by popular vote to the United States Senate and was the first African American to serve in the United States Senate since the Reconstruction Era;

Whereas Edward Brooke served on the Commission on Civil Disorders under President Lyndon B. Johnson, where his work on discrimination in housing served as the basis for the Fair Housing Act of 1968 (42 U.S.C. 3601 et seq.);

Whereas Edward Brooke was awarded the Presidential Medal of Freedom on June 23, 2004;

Whereas Edward Brooke was awarded the Congressional Gold Medal on October 28, 2009;

Whereas Edward Brooke's long and distinguished career in public service included serving in the United States Army during World War II, as Attorney General for the Commonwealth of Massachusetts, and as chairman of the board of the National Low Income Housing Coalition; and

Whereas Edward Brooke celebrated his 90th birthday on October 26, 2009: Now, therefore, be it

*Resolved*, That the Senate—

(1) acknowledges and honors the unprecedented and enduring achievements and contributions made by Edward W. Brooke, III, during his distinguished career of public service to the United States; and

(2) congratulates and expresses best wishes to Edward Brooke on the celebration of his 90th birthday.

SENATE RESOLUTION 324—DESIGNATING NOVEMBER 1, 2009, AS "NATIONAL HEMANGIOMA TREATMENT AWARENESS DAY"

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

S. RES. 324

Whereas hemangiomas are the most common benign tumors that occur in infancy;

Whereas hemangiomas appear at birth, or within the first several months of life;

Whereas, each year, approximately 400,000 children in the United States are born with hemangiomas and other vascular anomalies;

Whereas hemangiomas and other vascular anomalies can have a negative effect on the emotional development of a child;