

prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2492

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2492, a bill to amend the Internal Revenue Code of 1986 to provide matching payments for retirement savings contributions by certain individuals.

S. 2497

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2497, a bill to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes.

S. 2502

At the request of Mr. ISAKSON, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2502, a bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes.

S. 2505

At the request of Mr. KIRK, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2505, a bill to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes.

S. 2512

At the request of Mr. FRANKEN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 2512, a bill to expand the tropical disease product priority review voucher program to encourage treatments for Zika virus.

S. RES. 346

At the request of Mr. TOOMEY, his name was added as a cosponsor of S. Res. 346, a resolution expressing opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine the Israeli-Palestinian peace process.

AMENDMENT NO. 3167

At the request of Mr. BOOKER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 3167 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3215

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 3215 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 2533. A bill to provide short-term water supplies to drought-stricken California and provide for long-term investments in drought resiliency throughout the Western United States; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to speak about the historic drought that is devastating California and much of the West.

To help address this disaster, today I am introducing the California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act.

Let me begin by saying that the El Niño we're seeing now in California brings with it some good news.

The Sierra Nevada snowpack is the deepest it has been in 5 years, and water content is up.

The California Department of Water Resources reported in early-February that the statewide snowpack stands at 25.4 inches, or 130 percent of the historical average.

But we are faced with three problems.

First, one El Niño—even a strong El Niño—won't be sufficient to pull us out of this drought. Experts say we need at least 3 consecutive years of above-average precipitation.

Second, we lack the infrastructure needed to store much of this water. We need to do more to increase the amount of water we can hold from wet years to dry years.

And while river flows are extremely high from these winter storms, we are not taking advantage of them to the extent we should.

What that means is tens of thousands of acre-feet are flowing out into the Pacific Ocean rather than being collected for later use.

So while California is getting some much-needed rain, it's not likely to be enough to end this historic drought.

Let me be clear; this drought is hurting California.

Mr. President, 69 communities are facing significant water supply and water quality issues, 2,591 wells are critically low or dry affecting some 13,000 residents; California's economy lost \$2.7 billion from the drought in 2015.

The agricultural sector lost approximately \$1.8 billion from the drought in 2015, exceeding the \$41.5 billion loss in 2014.

More than 1 million acres of California farmland were fallowed in 2015, an increase of more than 600,000 acres over 2011.

Since 2014, the drought has led to 35,000 permanent jobs lost in California, 21,000 seasonal and part-time agricultural jobs have also been lost.

Farmworkers cannot find employment and are forced to move in with family members or friends who are also struggling.

Some single mothers are traveling as far as Washington State for work to help support their families.

Land subsidence from pumping too much groundwater has caused large areas of the San Joaquin Valley to sink by as much as two inches per month. As a result, bridges, aqueducts and roads have already begun to crack.

Mr. President, 50 million large trees are dead or likely will die from lack of water, and another 888 million trees experienced loss of canopy cover since 2011.

These are just some of the many examples of the dreadful effect the drought is having on California.

The bill I am introducing today includes a wide range of provisions to address two key needs:

First, long-term solutions. In addition to helping the many communities that are running out of water, we must create a new water infrastructure that is not as dependent on annual levels of rain or snow. That is why the bill includes many programs to promote long-term drought resiliency.

California is now home to 40 million people, but is relying on State and Federal water infrastructure first constructed in the 1960s when California's population was just 16 million.

The Central Valley Project and the State Water Project were completed in the 1970s, and neither have kept pace with the rapid growth in California's population or economy.

Put another way, California's major water infrastructure has remained largely unchanged for the past 40 years while California's population has more than doubled.

To address this, we must come up with long-term solutions to address these water infrastructure gaps.

This must include investments in water storage projects, desalination plants and water recycling projects, as well as programs to assist vulnerable communities, fund research and support ecosystem restoration.

In addition to those long-term solutions, the bill would also provide short-term, temporary solutions which are limited to the duration of the Governor's drought declaration or two years, whichever is longer.

These provisions will help make the water-delivery system more efficient during this current drought, and they will do so without any mandated pumping levels.

Under this bill State and Federal officials will continue to determine appropriate pumping levels, and all short-term operations must comply with existing applicable laws.

Let me repeat: there are no mandated levels of pumping in this bill.

Let me briefly discuss how this bill will help California and the positive impacts it will have west-wide.

Over the past 2 years, my staff and I have gone through an extensive consultation process with both State and Federal agencies.

We have worked through every proposal or suggestion we received from

those agencies and all are incorporated in the bill I am introducing today.

On the Federal side, we worked with the Department of the Interior; Department of Commerce; Bureau of Reclamation; U.S. Army Corps of Engineers; Fish and Wildlife Service; NOAA Fisheries; and the White House Council on Environmental Quality.

On the State side, we worked with the California Natural Resources Agency; California Department of Water Resources; California Department of Fish and Wildlife; and the Office of the Governor of California.

In addition to integrating proposals from State and Federal agency experts, we have incorporated feedback from a variety of stakeholders including environmental groups; urban and agricultural water districts; wildlife advocates and Democratic and Republican congressional offices.

As part of the consultation process, we received and incorporated more than 40 suggested changes.

I would first like to cover the long-term provisions.

As I said, California is home to around 40 million people, but has the same water infrastructure as the 1960s, when only 16 million people lived in the state.

Given the changing climate, I believe that California will become a desert state if we don't act. Droughts will only become more frequent and more severe.

That's why the long-term provisions of this bill look at new sources of water and new ways to store water.

These long-term provisions authorize a total of \$1.3 billion and include desalination, recycling, storage, and loan assistance for drought-stricken communities. And as I said, these investments can produce a new water infrastructure not as dependent on weather.

This bill increases the WaterSMART authorization by \$150 million for long-term water conservation, reclamation and recycling.

Some of these WaterSMART funds can then be used for a new Bureau of Reclamation program to help rural and disadvantaged communities that are running out of water. These grants would cover everything from emergency bottled water to long-term solutions like water treatment facilities.

But we also need to look beyond the current emergency and consider ways we can shift these communities from vulnerable water sources like wells to more sustainable and resilient water systems.

That's why this bill prioritizes money from the Environmental Protection Agency's Revolving Loan Fund for water infrastructure projects that would help drought-stricken communities that are at risk of running out of clean water.

This bill also authorizes \$200 million for the Reclamation Infrastructure Finance and Innovation Act, known as RIFIA. This loan-guarantee program will help water districts and munici-

palities fund long-term solutions to store more water and provide additional clean water.

We also need to invest in desalination and water recycling. These are two of the most promising technologies that may offer long-term solutions.

The bill identifies 137 local recycling and desalination projects that, if constructed, could produce upwards of 1.4 million acre feet in "new" water.

This includes 27 desalination projects identified by the State—totaling more than 352,000 acre-feet of water—that the Secretary of the Interior must consider funding if eligible.

The bill also reauthorizes the Desalination Act and authorizes \$100 million for feasibility studies and project design as well as desalinization research to improve the energy co-efficient from reverse osmosis and membrane technology. These funds run through 2020.

In addition, the bill identifies 110 water recycling projects that the Secretary of the Interior must consider funding. These projects total more than 1,060,334 acre-feet of water.

The bill authorizes \$200 million for the Bureau of Reclamation's Title XVI water recycling program and streamlines the program by eliminating the hurdle of congressional authorization for individual projects.

We also have to encourage public-private partnerships. That's why the bill funds a loan-guarantee program and other financing mechanisms to help make projects a reality.

If all the projects identified in the bill were completed, nearly 1.4 million acre-feet of "new" water could be made available.

Given the consensus that droughts will grow more severe, we have to increase the amount of water we can hold from wet years for use in dry years.

In order to help accomplish this, the bill authorizes \$600 million for water storage projects in California and other Western States. These funds would be available through 2025.

But the Federal Government can't do it all on its own. California signaled that it's ready by enacting a \$7.5 billion water bond. The bill therefore positions the federal government as a partner with California to take advantage of these funds to build new reservoirs and expand existing reservoirs.

Recognizing that the drought has taken a toll on many aspects of life in California, including fish and wildlife, this bill authorizes \$55 million for habitat restoration efforts. Measures include protections for the entire life cycle of fish, from increasing spawning habitat to reducing mortality during migration out to the ocean; reducing threats to fish, including smelt and salmon, by removing predators such as striped bass from specific locations where they prey on endangered fish; using real-time monitoring of turbidity and fish to determine pumping rates, rather than specific congressional mandates or targets; funding daily boat monitoring to survey for smelt near

the pumps when turbidity levels are high and the smelt are often attracted to the pumps; funding studies to track the smelt's most current locations and make decisions that are key to running pumps in a way that is not harmful to fish, and providing \$10 million in water infrastructure for refuges, a vital resource for billions of migratory birds that use the Pacific Flyway.

In addition to the long-term provisions, the bill includes short-term, temporary provisions to allow for more efficient operation of the Federal and State water systems.

As I stated, these emergency operations provisions last only for the length of the Governor's Emergency Declaration or 2 years—whichever is longer.

These short-term provisions will allow the agencies to capture water from winter storms. Already, the snowpack is significantly higher in height and water content than the last few years, and more water is flowing down the Delta.

The bill has eight key provisions that will allow for water to be captured and stored:

Improved data to operate pumps. Enhanced daily monitoring and data collection will help to operate pumps more efficiently, and pump at higher levels when no fish are present and pump at reduced levels when fish are nearby.

The revised bill requires daily boat monitoring to survey for smelt near the pumps when turbidity levels are high, so that pumping reductions are made based on the most up-to-date facts.

The bill also authorizes studies to identify smelts' location in the Delta on a real-time basis.

In addition, the bill authorizes a Delta Smelt Distribution study to identify how many smelt are in different parts of the Delta in drier and wetter years. This is critical to know what level of take of the smelt is a threat to the species.

Winter storms and "payback." The revised bill authorizes agencies to increase pumping during winter storms using their best judgment to determine when and by how much.

Once the storms end, the agencies would no longer be required to "payback" water already pumped unless there was an environmental reason, such as harm to fish.

This so-called "payback" has led to the loss of tens of thousands of acre-feet of water. Payback currently requires agencies to reduce subsequent water pumping by an equal amount of water as was captured during the storms, which results in the loss of tens of thousands of acre-feet of water that could instead be stored or transferred for use throughout the State.

Agencies must explain pumping levels under the Delta Smelt Biological Opinion.

The bill does not impose any mandated pumping levels, instead leaving

those pumping levels up to the discretion of the water agencies. But the bill does require officials to justify the levels at which they pump.

By requiring written justification for the level of pumping, the bill attempts to maximize the amount of water pumped by requiring officials to consider whether real-time monitoring justifies lowering pumping levels. This water system must be operated based on science, not intuition.

I want to be clear: The revised text does not include any mandate. We removed a provision that would have mandated pumping at –5000 cubic feet per second in the Old and Middle Rivers, unless pumping at these levels would cause additional adverse effects on the Delta smelt.

The 1:1 transfer ratio. The strong El Niño means more water is likely to be available for voluntary transfers from willing sellers with extra water to buyers downstream who need water.

This provision helps facilitate those transfers in April and May by allowing a 1:1 transfer ratio. In past years, agencies have reduced the likelihood of transfers by requiring water users to send more water downstream than could be captured and stored at a 4:1 ratio.

By allowing for a 1:1 ratio—while adhering to environmental law and biological opinions—more water transfers can be accomplished, providing water to users who truly need it.

Extending the time period for water transfers by five months. The bill extends by 5 months the time period when transfers may take place.

The current transfer window of July through September is extended to April through November. Extending the transfer window allows water transfers to be available during the spring planting season.

All transfers must remain consistent with the biological opinions.

Expediting review of transfers and the construction of barriers. Environmental reviews of water transfers and the installation of temporary barriers must be completed within 60 days, unless an environmental impact statement is required.

Agencies must maximize water supplies consistent with applicable laws and biological opinions.

Federal agencies can and should try to both protect species and provide water supplies.

The bill makes very clear that agencies cannot harm the fish in violation of the biological opinions—but within this environmental protection mandate, the agencies should try to increase water supplies—especially during a drought emergency.

This requirement complements the additional requirement that agencies must explain any harm to the fish that requires a reduction in water supplies.

Delta Cross-Channel Gates. The bill requires the Secretary of the Interior and the Secretary of Commerce to ensure that the gates remain open as long as possible.

These gates are critically important for controlling salinity in the Delta. When the gates are closed, water that would otherwise be pumped or stored is instead used to flush salty water out through the Delta.

Keeping the gates open for longer will help to reduce salinity in the interior Delta and avoid releasing water unnecessarily in the Central Valley Project and State Water Project. This helps both Delta farmers and communities as well as those south of Delta.

As I stated before, all of these short-term provisions are temporary and will sunset when the Governor's drought emergency expires or two years from the date of enactment, whichever is later.

We have spent untold hours working on this bill.

We have addressed—to the best of our ability—the concerns raised by a host of constituent groups and individuals including environmentalists, water districts, Federal and State agencies, and the agricultural sector.

The bill reflects many meetings between Democrats and Republicans, water districts, cities, rural communities, farmers, fishermen, and a number of environmental groups.

While this bill will not satisfy every water interest, I believe that these provisions will place California on a long-term path to drought resiliency.

This is a bill that offers real help to California while adhering to the laws and biological opinions that protect fish and wildlife.

The result of our efforts is a bill that stands a real chance of being approved by both parties and signed into law. I look forward to working with my colleagues to make that happen.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 370—RECOGNIZING THAT FOR NEARLY 40 YEARS, THE UNITED STATES AND THE ASSOCIATION OF SOUTH EAST ASIAN NATIONS (ASEAN) HAVE WORKED TOWARD STABILITY, PROSPERITY, AND PEACE IN SOUTHEAST ASIA

Mr. CARDIN (for himself, Mr. MCCAIN, Mr. SCHATZ, Mr. SULLIVAN, Mrs. FEINSTEIN, and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 370

Whereas the February 2016 U.S.-ASEAN summit at Sunnylands in Rancho Mirage, California is an opportunity to deepen the United States-ASEAN partnership;

Whereas the United States and the Association of South East Asian Nations (ASEAN) established dialogue relations on September 10, 1977, with the issuing of the 1977 Joint Communique Of The First ASEAN-U.S. Dialogue, and the United States acceded to the Treaty of Amity and Cooperation in Southeast Asia (TAC) at the ASEAN Post Ministerial Conference Session with the United States in Thailand on July 22, 2009;

Whereas the United States was the first non-ASEAN country to appoint an ambassador to ASEAN on April 29, 2008, and the first dialogue partner to establish a permanent mission to ASEAN in 2010;

Whereas the United States has supported efforts to strengthen the ASEAN Secretariat and expand its role in providing greater coordination between and enhancing the effectiveness of regional institutions;

Whereas the first-ever U.S.-ASEAN Defense Forum was held on April 1, 2014, in Honolulu, Hawaii, further deepening ties on the challenges to security, peace, and prosperity in the region, and on November 21, 2015, the United States and ASEAN elevated their relationship to the ASEAN-U.S. Strategic Partnership in Kuala Lumpur, Malaysia at the 3rd U.S.-ASEAN summit;

Whereas the Governments and people of the United States and ASEAN can help realize their common vision of a peaceful, prosperous, rules-based Asia-Pacific region that offers security, opportunity, and dignity to all of its citizens;

Whereas ASEAN is the 7th largest economy in the world, at \$2,400,000,000,000, representing the United States' 4th largest export market with total-two way trade in goods and services reaching \$254,000,000,000 and accounting for more than 500,000 jobs in the United States, and it represents a diverse group of nations and dynamic economies with an expanding workforce, a growing middle class, and a diverse set of skills, cultures, and resources;

Whereas ASEAN is home to critical global sea lanes located at the center of the world's strongest economic growth area, with \$5,300,000,000,000 of global trade and more than half of total shipped tonnage transiting through ASEAN's sea lanes each year;

Whereas the United States has a national interest in freedom of navigation and overflight, open access to Asia's maritime commons, and respect for international law in the South China Sea;

Whereas the South China Sea represents a critical international waterway not just for the region but the entire world;

Whereas the United States does not take sides on the competing territorial disputes, but believes claimants should pursue their territorial claims without resort to coercion, and through collaborative diplomacy, including international arbitration, and in accordance international law and institutions;

Whereas the United States opposes all claims in the maritime domain that impinge on the rights, freedoms, and lawful use of the sea that belongs to all nations and upholds the principles that territorial and maritime claims, including territorial waters or territorial seas, must be derived from land features and otherwise comport with international law;

Whereas the United States supports the Philippines' decision to use arbitration under the United Nations Convention on the Law of the Sea (UNCLOS), done at Montego Bay December 10, 1982, to peacefully and lawfully address competing territorial claims;

Whereas the Declaration on the Conduct of Parties in the South China Sea (DOC) was signed by all members of ASEAN and the People's Republic of China on November 4, 2002, and the United States supports efforts by ASEAN and the People's Republic of China to develop an effective Code of Conduct (COC), encourages claimants not to undertake new or unilateral attempts to change the status quo since the signing of the 2002 Declaration of Conduct, including reclamation activities or asserting administrative measures or controls in disputed areas in the South China Sea; and supports efforts to fully and effectively implement the Declaration of Conduct in its entirety