the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3541

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 3541, a bill to prohibit royalty incentives for deepwater drilling, and for other purposes.

S. RES. 554

At the request of Mr. ENZI, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 554, a resolution designating July 24, 2010, as ''National Day of the American Cowboy''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HAGAN (for herself and Mr. FRANKEN):

S. 3543. A bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program; to the Committee on Finance.

Mrs. HAGAN. Mr. President, today, I am proud to introduce the Medication Therapy Management, MTM, Expanded Benefits Act of 2010, with my colleague from Minnesota, Senator FRANKEN.

A recent analysis conducted by the New England Healthcare Institute estimates that the overall cost of medication nonadherence is as much as $290 billion per year. According to a recent article published in the New England Journal of Medicine, over $100 billion is spent annually on avoidable hospitalizations because patients do not take their medications correctly.

Not only does nonadherence cost our system billions of dollars, nonadherence to medication regimens also affects the quality of life for seniors and may lead to early death. The elderly typically take many more prescription medicines than the general population and therefore are at greater risk for problems associated with improper use of medications. For example, the same New England Journal of Medicine article I just reference found that better adherence to antihypertensive treatment alone could prevent 89,000 premature deaths in the U.S. annually.

With as much as one half of all patients in the U.S. not following their doctors' orders regarding their medications, medication therapy management could help reduce some of the wasted health care costs in our system.

North Carolina has implemented some very successful MTM programs.

The Asheville Project, which focuses on diabetes, asthma, and cardiovascular disease, has seen improved health outcomes and significant savings among city employees since it began in 1997. For example, in the Asheville Project's diabetes MTM Project, they have seen a decrease in medical costs of between $1,622 to $3,356 per patient per year; a decrease in insurance claims of $2,704 per patient in year 1 and a $6,502 decrease in year 5; a 50 percent decrease in use of sick days; and increased productivity gains estimated at $18,000 annually.

In 2007, the North Carolina Health and Wellness Trust Fund Commission launched an innovative statewide program, Checkmeds NC, to provide MTM services to North Carolina seniors. During the program's first year, more than 15,000 North Carolina seniors and 285 pharmacists participated. The seniors bring all of their prescriptions, over-the-counter medicines, vitamins and supplements to the pharmacy to be thoroughly reviewed in a one-on-one session. The pharmacist follows up and educates the patient about his or her medication regimen. The program saved an estimated $10 million, and countless health problems were avoided.

During consideration of health care reform, I was pleased to have successfully secured language in the bill that built off these North Carolina models and implemented MTM nationally for seniors suffering from two or more chronic conditions.

The bill I am introducing today takes MTM one step further. Specifically, this bill would expand MTM eligibility to seniors with any chronic condition that accounts for high spending in our health care system, such as heart failure and diabetes. Currently, only 12.9 percent of Part D beneficiaries are eligible under the MTM criteria for multiple chronic conditions. However, of those, more than 85 percent have chosen to participate in the benefit. Clearly this program is very popular and widely utilized by those who are already eligible. By expanding eligibility to more seniors, MTM will certainly result in Medicare savings.

The bill also ensures access to MTM for seniors at a pharmacy or with a qualified health care provider of their choice.

To ensure pharmacists and health care providers are able to provide MTM to seniors, this bill ensures they are appropriately reimbursed for their time and service. This provision will permit pharmacies and other health care providers to spend considerable time and resources evaluating a person's drug routine and educating them on proper usage—all critical components of a successful MTM program.

Finally, this bill would establish standards for data collection to evaluate and improve the Part D MTM benefit.

The value of MTM is widely known and discussed. I am proud that North Carolina is a leader in this arena. Expansion of MTM to more seniors will no doubt improve their overall health, while at the same time reducing waste in our health care system.

I urge my colleagues to support this bill.

Mr. FRANKEN. Mr. President, I am proud today to be joining Senator HAGAN in introducing the MTM Expanded Benefits Act.

We all know that prescription drugs are an essential part of health care. What a lot of people don't know is that only about 50 percent of Americans typically take their medicines as prescribed. This means that too often, the benefits of these important therapies aren't fully realized. According to a recent article in the New England Journal of Medicine, over $100 billion is spent annually on avoidable hospitalizations because patients don't take their medications correctly.

The MTM Expanded Benefits Act would help improve the care for seniors by increasing access to the medication therapy management benefit—also known as MTM—in the Medicare Part D prescription drug program.

Medication therapy management is a proven set of services that helps patients get the best possible results from their medications. MTM services are provided by pharmacists who work with patients and their health care providers to make sure that seniors are taking medications as they should be. Through MTM, patients get focused education to make sure they understand their medications—what conditions the drugs treat and how to avoid drug interactions that can make medications less effective or even dangerous.

It is not uncommon for a Minnesota senior who has diabetes to be taking 10 or more medications that are prescribed by multiple providers. But right now under Medicare, you would have to have at least four chronic conditions before you would become eligible for MTM. That just doesn't make sense to me.

Under the MTM Expanded Benefits Act, seniors with any chronic condition could benefit from MTM. The bill would increase the number of people eligible for MTM, helping more seniors to access the life saving and money-saving services.

Congress recognized the value of MTM when it required Medicare Part D drug plans to offer the service as part of the Medicare Modernization Act of 2003. Furthermore, State Medicaid Programs, including ours in Minnesota, use MTM to maximize the value of their pharmacy benefits. As we reform our health care system and provide insurance coverage to more Americans, it makes sense to ensure that MTM becomes more widely adopted throughout our health care system.

And MTM isn't just good for patient health, it also saves money. A University of Minnesota study showed that when patients were able to consult with a pharmacist to determine their optimal medication regimen, total health expenditures decreased from $11,965 to $8,197 per patient. The reduction in total health expenditures exceeded the cost of providing MTM services by more than 12 to 1. That is huge.

The elderly typically take many more prescription medicines than the general population and therefore are at greater risk for problems associated with improper use of medications. Improving the Medicare MTM benefit will help our Nation's seniors get the most out of their medications while also helping to reduce costs through appropriate medication use and improved outcomes. I urge my colleagues to support the MTM Expanded Benefits Act and help support efforts to improve the prescription drug benefit for Medicare beneficiaries.

By Mr. MERKLEY (for himself, Mr. CRAPO, Mr. BAUCUS, Mr. TESTER, and Mr. WYDEN):

S. 3550: A bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia Basin Restoration Program; to the Committee on Environment and Public Works.

Mr. MERKLEY. Mr. President, I rise to speak to legislation I am introducing today, with my colleagues, Senator CRAPO of Idaho, Senators BAUCUS and TESTER of Montana, and Senator WYDEN, from my home state of Oregon, to protect and restore the Columbia River Basin.

The Columbia River Basin is the great river system that defines the Pacific Northwest. It runs 1,243 miles from Columbia Lake in British Columbia to its mouth at Astoria, OR, the first permanent European settlement west of the Rocky Mountains. Its basin drains 258,000 acres in seven states, including many of great geological provinces of the West: the Yellowstone Plateau; the Rocky Mountains; the volcanic Snake River Plain; Hells Canyon, America's deepest canyon; the basalt plains and high desert of eastern Oregon and Washington; the majestic Columbia River Gorge; the volcanic slopes of the Cascade Mountains; and the temperate rain forests of the Coast Range.

The Columbia River's tributaries are the major rivers of the Northwest. The Snake River, its longest tributary, runs more than 1,000 miles from near the continental divide in Wyoming's Yellowstone Park to its mouth with the Columbia in eastern Washington. The Clark Fork is Montana's largest river by volume, draining much of western Montana and turning into the Pend Oreille River in Idaho before it flows into the Columbia just across the border in Canada.

It is also the lifeblood of our economy and has been the foundation of a trade-based economy stretching back thousands of years, even before European settlement. Today it is the cornerstone of the region's shipping network, with ports dotting the river as far upstream as Lewiston, Idaho, the farthest inland seaport in the west. It was once the world's largest wild salmon run, with as many as 30 million salmon returning to spawn in our rivers, and is still a foundation for much of our commercial and recreational fishing industries and an important source of fish for many of our Indian tribes.

The Columbia River Basin is the backbone of our energy system, with a network of dams that provide the majority of the region's electricity, more electricity than any other river in the country generates. Indeed, when we measure generating capacity, we talk about 100- and 200-Megawatt capacity wind farms and we talk about 600- and 800-Megawatt coal plants. Well, the Grand Coulee dam in central Washington state has a capacity of 6,800 Megawatts. It was the availability of low-cost power that brought the industrial era to the Northwest and brought a host of benefits to our rural residents, from rural electrification to irrigation for agriculture, as memorialized in the 1940s by Woody Guthrie. About four million acres of income-producing farm and ranch land across the Pacific Northwest are irrigated by the Columbia River, contributing $10 billion to our economy every year.

Unfortunately, the Columbia River Basin is also a river basin that faces serious challenges. Our rivers are severely polluted. When EPA completed its Columbia River Basin Fish Contaminant Survey, the agency looked for 131 chemicals in fish tissues that could be taken up by humans because of contamination entering the food chain. The study detected 70 percent of the chemicals EPA was looking for. All 11 species of fish they tested had some level of contamination in their tissue.

The contamination in these fish poses a health problem for people throughout our region, but it is the Indian tribes, our neighbors who have made this basin their home for thousands of years—including the Warm Springs, the Nez Perce, the Umatilla, and the Yakama—who are among the most affected. A survey conducted by the Columbia River Intertribal Fish Commission found that tribal members consume between 6 and 10 times as much fish as the national average. High consumption rates exist among all tribal members consuming fish as well as among specific high-risk groups, including breastfeeding women.

In addition, the salmon and steelhead, upon which the tribes and the fishing communities of the Northwest have so long depended, are in serious decline.

The good news is that stakeholders across the region are working to clean up and restore the river. Since the Lower Columbia River estuary was added to the National Estuary Program, a robust partnership involving 28 cities, 9 counties, and the states of Oregon and Washington has come together to coordinate habitat restoration and toxic contamination reduction in that part of the basin. The EPA has coordinated stakeholders throughout the basin, including the states of Idaho and Montana and tribal governments, working to improve toxic pollution monitoring and reduce and clean up contamination.

But more needs to be done.

While EPA has designated the Columbia River Basin as one of the nation's Great Water Bodies and has an active program in the basin, it is the only one of these Great Water Bodies that doesn't receive designated appropriations to support its restoration. Unlike the Chesapeake Bay and the Great Lakes, where Congress has authorized and funded restoration programs, the Columbia River Basin has no such program.

It is in that context that I introduce today, along with Senate colleagues from the Northwest, the Columbia River Basin Restoration Act of 2010. The bill establishes a clear stakeholder-driven process to oversee implementation of toxic contamination reduction plans. It directs EPA to provide technical support to a Working Group of stakeholders representing important constituencies and representing every geographic area in the Basin, and it allows those stakeholders to prioritize projects to implement toxic contamination reduction and to propose those projects to the EPA for funding.

We have also included an important component related to the Flathead River Basin in this bill. As my colleague the senior Senator from Montana can tell you, the Flathead is an amazing pristine gem of a water body on the far eastern edge of our basin. It forms the western and southern boundaries of the world's first international peace park, Glacier-Waterton, and it contains Flathead Lake, the largest freshwater lake in the West. Senator BAUCUS has made protecting the Flathead Basin a major focus and has discussed it many times in our work together on the Environment and Public Works Committee, and we have been working together for several months now to make sure we could protect the Flathead River Basin in this bill. I am glad we were able to include his provision to do so.

I would particularly like to thank my colleague Senator CRAPO from our neighboring State to the east. Senator CRAPO and I have been able to work together in a true collaborative partnership to propose what we believe will be an effective, stakeholder-driven program to help our constituents reduce toxic contamination in waterways that matter so much to them, and to do so in ways that our constituents design and prioritize. This bill reflects the interests and concerns of people from every State in the Northwest, and we will continue to hear and address their interests and concerns as the legislative process continues.

I am proud to stand with my colleagues from the Northwest today as we introduce this bill.

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. 3550

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 ''Columbia River Basin Restoration Act of 2010''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Columbia River is the largest river in the Pacific Northwest by volume;

(2) the river is 1,253 miles long, with a drainage basin that includes 259,000 square miles, extending to 7 States and British Columbia, Canada, and including all or part of—

(A) multiple national parks;

(B) components of the National Wilderness Preservation System;

(C) National Monuments;

(D) National Scenic Areas;

(E) National Recreation Areas; and

(F) other areas managed for conservation.

(3) the Columbia River Basin and associated tributaries (referred to in this Act as the ''Basin'') provide significant ecological and economic benefits to the Pacific Northwest and the entire United States;

(4) traditionally, the Basin includes more than 6,000,000 acres of irrigated agricultural land and produces more hydroelectric power than any other North American river;

(5) the Basin—

(A) historically constituted the largest salmon-producing river system in the world, with annual returns peaking at as many as 30,000,000 fish; and

(B) as of the date of enactment of this Act—

(i) supports economically important commercial and recreational fisheries; and

(ii) is home to 13 species of salmonids and steelhead that area listed as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(6) the Lower Columbia River Estuary stretches 146 miles from the Bonneville Dam to the mouth of the Pacific Ocean, and much of that area is contaminated with toxic chemicals;

(7) the Middle and Upper Columbia River Basin includes 1,050 miles of the mainstem Columbia River upstream of the Bonneville Dam, including the 1,040 miles of the largest tributary, the Snake River, and all of the tributaries to both rivers;

(8) toxic contamination in the Basin poses a significant threat to the environment and human health;

(9) the nuclear and toxic contamination at the Hanford Nuclear Reservation and the toxic contamination at Superfund sites throughout the Basin present an ongoing risk of contamination throughout the Basin;

(10) polychlorinated biphenyls (commonly known as ''PCBs'') and polycyclic aromatic hydrocarbons that have been found in the tissues of salmonids and their prey at concentrations exceeding levels of concern;

(11) legacy contaminants, including PCBs and dichlorodiphenyltrichloroethane, the pesticide commonly known as ''DDT'', were banned in 1972, but are still detected in river water, sediments, and juvenile Chinook salmon;

(12) pesticides and emerging contaminants, such as pharmaceutical and personal care products, have been detected in river water and may have effects including hormone disruption and impacts on behavior and reproduction;

(13) the Environmental Protection Agency's Columbia River Basin Fish Contaminant Survey detected the presence of 92 priority pollutants, including PCBs and DDE (a breakdown of DDT), in fish that are consumed by members of Indian tribes in the Columbia River Basin, as well as by other individuals consuming fish throughout the Columbia River Basin, and a fish consumption survey by the Columbia River Intertribal Fish Commission showed that tribal members were eating 6 to 11 times more fish than the estimated national average of the Environmental Protection Agency;

(14) toxic contamination in the Middle and Upper Columbia River Basins have a direct impact on water quality in the Lower Columbia River Estuary, and reducing toxic contamination in the Middle and Upper Columbia River Basin can have significant benefits for human health and for fish and wildlife throughout the entire Basin; and

(15) with regard to the Flathead River Basin, in the easternmost portion of the Columbia River Basin—

(A) the Flathead River Basin—

(i) has high water quality and aquatic biodiversity;

(ii) supports endangered species and species of special concern listed under United States and Canadian law;

(iii) contains Flathead Lake, the largest freshwater lake in the western United States;

(iv) is an important wildlife corridor that is home to the highest density of large and mid-sized carnivores and the highest diversity of vascular plant species in the United States; and

(v) supports traditional uses such as hunting, fishing, recreation, guiding and outfitting, and logging;

(B) the Flathead River originates in British Columbia and drains into the State of Montana;

(C) such transboundary waters are protected from pollution under the Treaty Relating to the Boundary Waters and Questions Arising Along the Boundary Between the United States and Canada, signed at Washington on January 11, 1909 (36 Stat. 2448; TS 548) (commonly known as the ''Boundary Waters Treaty of 1909'');

(D) in 1988, the International Joint Commission determined that the impacts of mining proposals on the environmental values of the Flathead River Basin, including on water quality, sport fish populations, and habitat, could not be fully mitigated;

(E) the Flathead River forms the western and southern boundaries of the world's first International Peace Park, Waterton–Glacier, which was inscribed as a World Heritage Site in 1995 under the auspices of the World Heritage Convention, adopted by the United Nations Educational, Scientific, and Cultural Organization General Conference on November 16, 1972;

(F) at the 33rd session of the World Heritage Committee in 2009, Decision 33 COM 7B.22 (Annex 3) 2009, the World Heritage Committee urged Canada in 2009 not to permit any mining or energy development in the Upper Flathead River Basin until the relevant environmental assessment processes have been completed and to provide timely opportunities for the United States to participate in environmental assessment processes; and

(G) on February 18, 2010, British Columbia and Montana entered into a memorandum of understanding—

(i) to remove mining and oil and gas development as permissible land uses in the Flathead River Basin;

(ii) to cooperate on fish and wildlife management;

(iii) to collaborate on environmental assessment of projects of cross border significance with the potential to degrade land or water resources; and

(iv) to share information proactively.

SEC. 3. COLUMBIA RIVER BASIN RESTORATION.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 123. COLUMBIA RIVER BASIN RESTORATION.

''(a) DEFINITIONS.—

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) COLUMBIA RIVER BASIN.—The term 'Columbia River Basin' means the entire United States portion of the Columbia River watershed.

''(3) COLUMBIA RIVER BASIN PROVINCES.—The term 'Columbia River Basin Provinces' means the United States portion of each of the Columbia River Basin Provinces identified in the Fish and Wildlife Plan of the Northwest Power and Conservation Council.

''(4) COLUMBIA RIVER BASIN TOXICS REDUCTION ACTION PLAN.—

''(A) IN GENERAL.—The term 'Columbia River Basin Toxics *Reduction Action Plan*' means the plan developed by the Environmental Protection Agency and the Columbia River Toxics Reduction Working Group in 2010.

''(B) INCLUSIONS.—The term 'Columbia River Basin Toxics *Reduction Action Plan*' includes any amendments to the plan.

''(5) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the Lower Columbia River Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

''(6) ESTUARY PLAN.—

''(A) IN GENERAL.—The term 'Estuary Plan' means the Estuary Partnership Comprehensive Conservation and Management Plan adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320.

''(B) INCLUSIONS.—The term 'Estuary Plan' includes any amendments to the plan.

''(7) LOWER COLUMBIA RIVER ESTUARY.—The term 'Lower Columbia River Basin and Estuary' means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

''(8) MIDDLE AND UPPER COLUMBIA RIVER BASIN.—

''(A) IN GENERAL.—The term 'Middle and Upper Columbia River Basin' means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

''(B) INCLUSIONS.—The term 'Middle and Upper Columbia River Basin' includes—

''(i) the Snake River and associated tributaries; and

''(ii) the Clark Fork and Pend Oreille Rivers and associated tributaries.

''(9) NORTH FORK OF THE FLATHEAD RIVER.—The term 'North Fork of the Flathead River' means the region consisting of the North Fork of the Flathead River watershed, beginning in British Columbia, Canada, ending at the confluence of the North Fork and the Middle Fork of the Flathead River in the State of Montana.

''(10) PROGRAM.—The term 'Program' means the Columbia River Basin Restoration Program established under subsection (b)(1).

''(11) TRANSBOUNDARY FLATHEAD RIVER BASIN.—The term 'transboundary Flathead River Basin' means the region consisting of the Flathead River watershed, beginning in British Columbia, Canada, and ending at Flathead Lake, Montana.

''(12) WORKING GROUP.—The term 'Working Group' means—

''(A) the Columbia River Basin Toxics Reduction Working Group established under subsection (c); and

''(B) with respect to the Lower Columbia River Estuary, the Estuary Partnership.

''(b) COLUMBIA RIVER BASIN RESTORATION PROGRAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish within the Environmental Protection Agency a Columbia Basin Restoration Program.

''(2) DELEGATION OF AUTHORITY; STAFFING.—The Administrator shall delegate such authority and provide such additional staff as are necessary to carry out the Program.

''(3) SCOPE OF PROGRAM.—

''(A) IN GENERAL.—The Program shall consist of a collaborative stakeholder-based approach to reducing toxic contamination throughout the Columbia River Basin.

''(B) RELATIONSHIP TO EXISTING ACTIVITIES.—The Program shall—

''(i) build on the work and collaborative structure of the existing Columbia River Toxics Reduction Working Group representing the Federal Government, State, tribal, and local governments, industry, and nongovernmental organizations, which was convened in 2005 to develop a collaborative toxic contamination reduction approach for the Columbia River Basin;

''(ii) in the Lower Columbia River Basin and Estuary, build on the work and collaborative structure of the Estuary Partnership; and

''(iii) coordinate with other efforts, including activities of other Federal agencies in the Columbia River Basin, to avoid duplicating activities or functions.

''(C) NO EFFECT ON EXISTING AUTHORITY.—The Program shall not modify any legal or regulatory authority or program in effect as of the date of enactment of this section, including the roles of Federal agencies in the Columbia River Basin.

''(4) DUTIES.—The Administrator shall—

''(A) provide the Working Group with data, analysis, reports, or other information;

''(B) provide technical assistance to the Working Group, and to States, local government entities, and Indian tribes participating in the Working Group, to assist those agencies and entities in—

''(i) planning or evaluating potential projects;

''(ii) implementing plans;

''(iii) implementing projects; and

''(iv) monitoring and evaluating the effectiveness of projects and the implementation of plans and projects;

''(C) provide information to the Working Group on plans already developed by the Administrator or by other Federal agencies to enable the Working Group to avoid unnecessary or duplicative projects or activities;

''(D) provide coordination with other Federal agencies to avoid duplication of activities or functions;

''(E)(i) complete and periodically update the Columbia River Basin Toxics Reduction Action Plan and the Estuary Plan; and

''(ii) ensure that those plans, when considered together and in light of relevant plans developed by other Federal or State agencies, form a coherent toxic contamination reduction strategy for the entire Columbia River Basin; and

''(F) implement, including by providing grants pursuant to subsection (e), projects and conduct activities, including monitoring, assessment, and toxic contamination reduction activities, that are—

''(i) identified by the Working Group;

''(ii) included in the Columbia River Basin Toxics Reduction Action Plan and the Estuary Plan; or

''(iii) identified under subsection (d) and located in the Transboundary Flathead River Basin.

''(c) STAKEHOLDER WORKING GROUP.—

''(1) ESTABLISHMENT.—The Administrator shall establish a Columbia River Basin Toxics Reduction Working Group.

''(2) MEMBERSHIP.—The members of the Working Group shall include, at a minimum, representatives of—

''(A) each State located in whole or in part within the Columbia River Basin;

''(B) each Indian tribe with legally defined rights and authorities in the Columbia River Basin that elects to participate on the Working Group;

''(C) local governments located in the Columbia River Basin;

''(D) industries operating in the Columbia River Basin that affect or could affect water quality;

''(E) electric, water, and wastewater utilities operating in the Columba River Basin;

''(F) private landowners in the Columbia River Basin;

''(G) soil and water conservation districts in the Columbia River Basin;

''(H) environmental organizations that have a presence in the Columbia River Basin; and

''(I) the general public in the Columbia River Basin.

''(3) GEOGRAPHIC REPRESENTATION.—The Working Group shall include representation from each of the Columbia River Basin Provinces located in the Columbia River Basin.

''(4) APPOINTMENT.—

''(A) NONTRIBAL MEMBERS.—The Administrator, with the consent of the Governor of each State located in whole or in part within the Columbia River Basin, shall appoint nontribal members of the Working Group not later than 180 days after the date of enactment of this section.

''(B) TRIBAL MEMBERS.—The governing body of each Indian tribe described in paragraph (2)(B) shall appoint tribal members of the Working Group not later than 180 days after the date of enactment of this section.

''(5) DUTIES.—The Working Group shall—

''(A) assess trends in water quality and toxic contamination or toxics reduction, including trends that affect uses of the water of the Columbia River Basin;

''(B) collect, characterize, and assess data on toxics and water quality to identify possible causes of environmental problems;

''(C) develop periodic updates to the Columbia River Basin Toxics Reduction Action Plan and, in the Estuary, the Estuary Plan;

''(D) submit to the Administrator annually a prioritized list of projects, including monitoring, assessment, and toxic contamination reduction projects, that would implement the Columbia River Basin Toxics Reduction Action Plan or, in the Lower Columbia River Estuary, the Estuary Plan, for consideration for funding pursuant to subsection (e); and

''(E) monitor the effectiveness of actions taken pursuant to this section.

''(6) LOWER COLUMBIA RIVER ESTUARY.—In the Lower Columbia River Estuary, the Estuary Partnership shall function as the Working Group and execute the duties of the Working Group described in this subsection for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program.

''(7) PARTICIPATION BY STATES.—At the discretion of the Governor of a State, the State—

''(A) may elect not to participate in the Working Group established under this paragraph; and

''(B) may provide comments to the Administrator on the prioritized list of projects submitted pursuant to paragraph (5)(D).

''(d) TRANSBOUNDARY FLATHEAD RIVER BASIN.—

''(1) SHORT TITLE.—This subsection may be cited as the 'Transboundary Flathead River Basin Protection Act of 2010'.

''(2) ACTION BY PRESIDENT.—The President shall take steps to preserve and protect the unique, pristine area of the transboundary Flathead River, with a particular focus on the North Fork of the Flathead River.

''(3) TRANSBOUNDARY COOPERATION.—In taking such steps, the President may engage in negotiations with the Government of Canada to establish an executive agreement, or other appropriate tool, to ensure permanent protection for the North Fork of the Flathead River watershed and the adjacent area of Glacier-Waterton National Park.

''(4) PARTICIPATION IN COOPERATIVE EFFORTS.—

''(A) IN GENERAL.—The President may participate in cross-border collaborations with Canada on environmental assessments of any project of cross-border significance that has the potential to degrade land or water resources by providing for on-going involvement of appropriate Federal agencies of the United States in such assessments.

''(B) COLLABORATION.—In carrying out subparagraph (A), the President shall include in collaborations under that subparagraph appropriate Federal agencies, such as—

''(i) the Environmental Protection Agency;

''(ii) the Department of Interior;

''(iii) the United States Fish and Wildlife Service;

''(iv) the National Park Service;

''(v) the Forest Service; and

''(vi) such other agencies as the President determines to be appropriate.

''(5) ASSESSMENTS AND PROJECTS.—The President, acting through the Administrator, may provide grants under subsection (e) for the following purposes:

''(A) Developing baseline environmental conditions in the transboundary Flathead River Basin.

''(B) Assessing the impact of any proposed projects on the natural resources, water quality, wildlife, or environmental conditions in the transboundary Flathead River Basin.

''(C) Implementation of transboundary cooperative efforts identified by the governments of the United States and Canada under subsection (b)(2).

''(D) Projects to protect and preserve the natural resources, water quality, wildlife, and environmental conditions in the transboundary Flathead River Basin.

''(e) GRANTS.—

''(1) IN GENERAL.—The Administrator may provide grants to State and regional water pollution control agencies and entities, other State and local government entities, Indian tribes, nonprofit private agencies, institutions, organizations, and individuals for use in paying costs incurred in carrying out activities that would develop or implement plans or projects updated, developed, or authorized under this section (including for purposes described in subsection (d)(4)).

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, interstate, or regional agency, an Indian tribe, or a local government entity) under this subsection for a fiscal year—

''(i) shall not exceed 75 percent of the total cost of the project or activity; and

''(ii) shall be made on condition that the non-Federal share of that total cost shall be provided from non-Federal sources.

''(B) EXCEPTIONS.—With respect to cost-sharing for a grant provided under this subsection—

''(i) an Indian tribe may use Federal funds for the non-Federal share; and

''(ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

''(3) ALLOCATION.—In making grants using funds appropriated to carry out this section for fiscal years 2012 and 2013, the Administrator shall use—

''(A) not less than ⅓ of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary; and

''(B) not less than ⅓ of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin.

''(4) REPORTING.—Not later than 18 months after the date of receipt of a grant under this subsection, and biennially thereafter for the duration of the grant, a person (including a State, interstate, or regional agency, an Indian tribe, or a local government entity) that receives a grant under this subsection shall submit to the Administrator a report that describes the progress being made in achieving the purposes of this section using funds from the grant.

''(f) ANNUAL BUDGET PLAN.—The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

''(1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

''(2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

''(3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $33,000,000 for each of fiscal years 2012 through 2017, to remain available until expended.''.

Mr. BAUCUS. Mr. President, I rise today with Senator MERKLEY, Senator TESTER, Senator CRAPO, and others to introduce the Columbia River Basin Restoration Act of 2010. The bill authorizes much needed funds to implement toxics reduction projects throughout the basin, and it authorizes next steps in our longstanding effort to protect and preserve the transboundary Flathead Basin. The Columbia River Basin is one of the great water basins along our border with Canada that binds our two nations together. The river spans about 1,200 miles and travels through 14 dams from Columbia Lake, British Columbia all the way to the Pacific Ocean. Several of the major subasins of the Columbia are located in Montana, including the Kootenai, the Flathead, the Clark Fork, the Blackfoot, and the Bitterroot. Toxics contamination is a problem in several of these subasins, and I am very pleased to be a cosponsor of the Columbia River Basin Restoration Act of 2010, which will authorize much needed resources to address toxics contamination.

The Columbia River Basin Restoration Act of 2010 also includes the Transboundary Flathead Basin Protection Act of 2010. This part of the bill addresses the unique needs of one of the areas that I love about Montana. Everyone who experiences the North Fork of the Flathead in northwestern Montana is awed by its pristine waters, larger-than-life landscapes, and breathtaking views. With its headwaters in British Columbia, the North Fork of the Flathead River forms the western boundary of Glacier National Park—it is one of the last untouched places on our continent.

For decades, the North Fork has been threatened by oil and gas and mining proposals in British Columbia. For the last 35 years, I have battled these proposals, one by one. After 35 years of work, we are beginning a new chapter of international cooperation in our efforts to protect the North Fork.

In February of this year, British Columbia and Montana announced their intent to prevent mining, oil and gas, and coalbed methane development in the North Fork on the lands they control. This memorandum of understanding was a great foundation for additional efforts to establish protections that are permanent. Since 90 percent of the North Fork watershed is Federally-owned, Federal action is needed on the southern side of the U.S.-Canadian border.

So, on March 4, Senator TESTER and I introduced the North Fork Watershed Protection Act, S. 3075, which bans future mining, oil and gas, and coalbed methane development on Federal lands in the watershed. The bill enjoys support from business and conservation interests alike from all over the State, including the Kalispell Chamber, Whitefish Mountain Resort, the Billings Rod and Gun Club, and a long list of others. This breadth of support shows the importance of the North Fork for Montana's economy as well as our State's outdoor heritage.

There are some current leases in the area that have been dormant since the late 1980s, when a court decision found that they were improperly issued. Senator TESTER and I have been engaged in active discussions with the current owners to retire these old leases. On April 28, I was proud to announce that ConocoPhillips, the primary leaseholder in the North Fork watershed, elected to voluntarily relinquish its interest in 108 Federal oil and gas leases covering approximately 169,000 acres, representing 71 percent of the leased area in the North Fork watershed. On June 2, we announced that Chevron decided to voluntarily relinquish its interest in 11,000 acres of leases in the Flathead watershed. To date, we have managed to retire the primary interest in 180,000 acres in the North Fork watershed, free of charge to the American taxpayer.

These actions are further evidence of the consensus that exists between the United States and Canada and among businesses and conservationists, that the withdrawal of these Federal lands from leasing is the only path forward.

The transboundary Flathead section of the Columbia River Restoration Act of 2010 authorizes the next phase of our efforts to protect the Flathead. Just yesterday, the White House issued a statement that during the G20 meeting in Toronto, President Obama and Prime Minister Harper discussed the transboundary Flathead, recognizing the memorandum of understanding between British Columbia and Montana and exploring ways that the two governments can cooperate to ensure sustained protection of the North Fork. Senator TESTER and I asked the President to discuss this issue with the Prime Minister on June 9th, and we are very pleased that the two made this a priority in light of the agenda at the G20. This commitment from the highest levels of government sets the stage for four-party talks between the United States, Canada, British Columbia, and Montana to establish permanent protections.

The Columbia River Basin Restoration Act of 2010 takes three key steps to move things forward in the Flathead. Before I walk through those, it is important to recognize that this is an authorization bill. It authorizes specific actions by the Federal Government and authorizes appropriations in support of those actions. It is important to remember that Congress works in a two-step process—first the authorization, then, once signed into law, appropriations follow.

The bill authorizes the President to take steps to preserve and protect the transboundary Flathead River Basin. It is clear that the President has authority under the Boundary Waters Treaty of 1909, the Clean Water Act, and other statutes to take steps to prevent water pollution and protect wildlife in the transboundary Flathead. This section requires that the President act to meet these goals and provides explicit authority for the President to negotiate with Canada to ensure permanent protection for the North Fork and Glacier-Waterton National Park.

The bill authorizes the President, acting through appropriate agencies, to participate in cross-border collaborations and environmental assessments with Canada. Federal agency participation in such assessments is anticipated in the MOU between British Columbia and Montana, and our bill provides the authority for this to occur. Finally, the bill authorizes grants for baseline environmental studies, analysis of environmental impacts of any proposed projects, implementation of transboundary cooperative efforts, and other projects to protect and preserve the transboundary Flathead River Basin.

Funds for these and other purposes in the Columbia River Restoration Act of 2010 would be provided through the appropriations process, once this bill is signed into law.

Mr. President, I want to reflect for a moment on how far we have come in Montana in efforts to protect the North Fork. In 1975, during my very first term in the House of Representatives, I introduced a bill to designate the Flathead River as a Wild and Scenic River. It was designated a Wild and Scenic River in 1976.

For me, that began a lifelong effort to protect the North Fork. At that time I said:

> A hundred years from now, and perhaps much sooner, those who follow us will survey what we have left behind.

The retirement of current oil and gas leases in the Flathead, the Energy Committee's very positive hearing on April 28 on S. 3075, the North Fork Watershed Protection Act 2010, President Obama's action yesterday with Prime Minister Harper, our introducing of this bipartisan legislation today and its eventual passage are all steps in a decades-long process to protect this gem of the continent.

I know that if we continue to cooperate with Canada, that if we can all keep our eye on the ball of long-term protection for the North Fork, that every Montanan, every American, and every Canadian who follows us will have the opportunity to share our feeling of awestruck wonder that such a place still exists, almost untouched by the modern world.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 573—URGING THE DEVELOPMENT OF A COMPREHENSIVE STRATEGY TO ENSURE STABILITY IN SOMALIA, AND FOR OTHER PURPOSES

Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 573

Whereas Somalia has been without a functioning central government since 1991, resulting in lawlessness and an increasingly desperate humanitarian situation;

Whereas, despite the return of the internationally recognized Transitional Federal Government (TFG) to Mogadishu and ongoing diplomatic efforts through the Djibouti Peace Process, supported by the United Nations, there has been little improvement in the governance or stability of southern and central Somalia, and armed opposition groups continue to exploit this situation;

Whereas the traditional mediation role played by Somali elders has been eroded as the dynamics of conflict and the proliferation of weapons make it difficult to influence warring parties;

Whereas, since 2007, armed violence has resulted in the deaths of at least 21,000 people in Somalia and the displacement of nearly 2,000,000 people, including over 500,000 refugees in Kenya, Yemen, Ethiopia, Eritrea, Djibouti, Tanzania, and Uganda;

Whereas the United Nations estimates that 3,200,000 people, or 43 percent of the population of Somalia, are in need of humanitarian assistance and livelihood support to survive;

Whereas the United Nations reports that almost 1,000,000 displaced Somalis in need of aid cannot be reached by United Nations refugee and food agencies because of growing insecurity and the threat of kidnappings to staff;

Whereas local humanitarian organizations are trying to meet the needs of the Somali people by restoring basic social services in urban and rural communities, which places them on the front lines of the conflict and make them vulnerable targets for killings, kidnappings, or being accused of working for foreign governments;

Whereas al Shabaab, which has been designated as a foreign terrorist organization by the Department of State, and other armed groups continue to wage war against the Transitional Federal Government in Mogadishu and one another to gain control over territory in Somalia;

Whereas al Shabaab has claimed responsibility for many bombings—including suicide attacks—in Mogadishu, as well as in central and northern Somalia, typically targeting officials of the Government of Somalia and perceived allies of the TFG;

Whereas, according to Human Rights Watch, al Shabaab is subjecting inhabitants of areas under its control in southern Somalia to executions, cruel punishments, including amputations and floggings, and repressive social control;

Whereas the human rights situation in Somalia has dramatically worsened over the past several years with increased numbers of killings, torture, kidnappings, and rape;

Whereas the 2009 Department of State Country Terrorism Report notes that ''Somalia's fragile transitional Federal government, protracted state of violent instability, its long, unguarded coastline, porous borders, and proximity to the Arabian Peninsula, made the country an attractive location for international terrorists seeking a transit or launching point for operations in Somalia or elsewhere'';

Whereas the situation in southern and central Somalia, particularly the activity of al Shabaab, poses direct threats to the stability of Puntland and Somaliland regions, as well as the stability of neighboring states and the wider region;

Whereas al Shabaab leaders have stated their intent to provide recruits and support for al Qaeda in the Arabian Peninsula in Yemen;

Whereas the Government of Eritrea has provided military and financial support for armed opposition groups, including al Shebaab, in part as a proxy front in its continuing tensions with Ethiopia;

Whereas, according to the most recent report by the United Nations Somalia Monitoring Group, arms, ammunitions, and military or dual-use equipment continue to enter Somalia at a fairly steady rate, primarily from Yemen and Ethiopia;

Whereas, in July 2009, the Department of State confirmed that, in addition to other support for the TFG, it had provided cash to purchase weapons and ammunitions for the TFG's efforts ''to repel the onslaught of extremist forces which are intent on destroying the Djibouti peace process'';

Whereas, according to most recent report by the United Nations Somalia Monitoring Group, ''[d]espite infusions of foreign training and assistance, government security forces remain ineffective, disorganized and corrupt—a composite of independent militias loyal to senior government officials and military officers who profit from the business of war and resist their integration under a single command'';

Whereas, on April 24, 2010, President Barack Obama issued an executive order to sanction or freeze the assets of militants who threaten, both directly and indirectly, the stability of Somalia, as well as individuals involved in piracy off Somalia's coast;

Whereas, in March 2009, at a hearing of the Committee on Homeland Security and Government Affairs of the Senate, Andrew Liepman, Deputy Director of Intelligence at the National Counterterrorism Center, noted that ''[s]ince 2006, a number of U.S. citizens [have] traveled to Somalia, possibly to train in extremist training camps'';

Whereas, in September 2009, at a hearing of the Committee on Homeland Security and Government Affairs of the Senate, the Director of the National Counterterrorism Center Michael Leiter testified that ''the potential for al-Qaeda operatives in Somalia to commission Americans to return to the United States and launch attacks against the Homeland remains of significant concern''; and

Whereas the extraordinary and ongoing crisis in Somalia has enormous humanitarian consequences and direct national security implications for the United States and our allies in the region: Now therefore be it

Resolved, That the Senate—

(1) acknowledges the urgency of addressing the threats to United States national security in Somalia and the conditions that foster those threats;

(2) reaffirms its commitment to stand with all the people of Somalia who aspire to a future free of terrorism and violence through advancing political reconciliation and building legitimate and inclusive governance institutions;

(3) recognizes the difficult, but very important, work being done by the African Union Mission in Somalia (AMISOM) to help secure parts of Mogadishu, and reaffirms its support for the mission;

(4) calls on the Transitional Federal Government in Somalia—

(A) to cease immediately any use of child soldiers;

(B) to ensure better accountability and transparency for all received security assistance;

(C) to renew its commitment to political reconciliation; and

(D) to take necessary steps toward becoming a more legitimate and inclusive government in the eyes of the people of Somalia;

(5) calls on all actors and governments in the region, particularly the Government of Eritrea, to play a productive role in helping to bring about peace and stability to Somalia, including ceasing to provide any financial or material support to armed opposition groups in Somalia;

(6) welcomes efforts by the President to bring greater focus and resources toward understanding and monitoring the situation in Somalia;

(7) urges the President to develop a comprehensive strategy to ensure that all United States humanitarian, diplomatic, political, and counterterrorism programs in Somalia and the wider Horn of Africa are coordinated and making progress toward the long-term goal of establishing stability, respect for human rights, and functional, inclusive governance in Somalia;

(8) urges the President and Secretary of State, as part of a comprehensive strategy—

(A) to provide greater support for a range of diplomatic initiatives to engage clan leaders, business leaders, and civil society leaders in Somalia and the Somali Diaspora in political reconciliation and consensus-building;

(B) to ensure better oversight, monitoring, and transparency of all United States security assistance provided to the TFG;

(C) to increase and strengthen the United States diplomatic team working on Somalia, including the appointment of a senior envoy,