

as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

**SENATE RESOLUTION 461—HONORING JAMES L. OBERSTAR AS A REMARKABLE PUBLIC SERVANT WHO SERVED IN CONGRESS WITH EXTRAORDINARY DEDICATION AND PURPOSE**

Ms. KLOBUCHAR (for herself, Mr. FRANKEN, Mr. HARKIN, and Mr. BEGICH) submitted the following resolution; which was considered and agreed to:

S. RES. 461

Whereas James L. Oberstar was born on September 10, 1934, in Chisholm, Minnesota;

Whereas James L. Oberstar was a distinguished legislator who served 36 years in Congress, from 1975 to 2011, as a member of the House of Representatives from northern Minnesota, making him the longest serving Congressman for the State of Minnesota;

Whereas James L. Oberstar was an expert on public works and transportation issues and devoted his public career to improving transportation and infrastructure, including through his work as a staff member for John Blatnik, member of the House of Representatives from Minnesota, from 1963 to 1974;

Whereas James L. Oberstar was a staunch supporter of the iron ore industry in Minnesota and fought tirelessly to keep the mines open, protect the rights of workers, and improve safety conditions;

Whereas, throughout his career, James L. Oberstar secured Federal funding for local communities for the development of bike lanes, sidewalks, biking trails, and hiking trails across Minnesota and the United States;

Whereas James L. Oberstar was the Chair of the Committee on Transportation and Infrastructure of the House of Representatives during the 110th and 111th Congress;

Whereas James L. Oberstar was a supporter of the Federal Safe Routes to School Program which improves safety on walking and bicycling routes to school and encourages children and families to travel between home and school by walking or biking;

Whereas James L. Oberstar introduced H.R. 3311 during the 110th Congress to provide emergency funding to replace the I-35W bridge in Minneapolis, Minnesota, after its tragic collapse in 2007;

Whereas James L. Oberstar was a strong advocate for improving aviation safety and served as Chair of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure of the House of Representatives from 1989 to 1994; and

Whereas James L. Oberstar was a tireless champion of maritime issues, particularly those on the Great Lakes, and on May 24, 2011, the shipping vessel the Honorable James L. Oberstar was christened in Duluth, Minnesota: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors James L. Oberstar as a remarkable public servant who served in Congress with extraordinary dedication and purpose;

(2) remembers the work James L. Oberstar accomplished to improve transportation, infrastructure, and mine safety; and

(3) recognizes the indelible legacy James L. Oberstar has left on the State of Minnesota and the United States.

**SENATE RESOLUTION 462—RECOGNIZING THE KHMER AND LAO/HMONG FREEDOM FIGHTERS OF CAMBODIA AND LAOS FOR SUPPORTING AND DEFENDING THE UNITED STATES ARMED FORCES DURING THE CONFLICT IN SOUTHEAST ASIA AND FOR THEIR CONTINUED SUPPORT AND DEFENSE OF THE UNITED STATES**

Mr. RUBIO submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 462

Whereas the Khmer and Lao/Hmong Freedom Fighters (also known as the “Khmer and Lao/Hmong veterans”) fought and died with United States Armed Forces during the conflict in Southeast Asia;

Whereas the Khmer and Lao/Hmong Freedom Fighters rescued United States pilots shot down in enemy-controlled territory and returned the pilots to safety;

Whereas the Khmer and Lao/Hmong Freedom Fighters retrieved and prevented from falling into enemy hands secret and sensitive information, technology, and equipment;

Whereas the Khmer and Lao/Hmong Freedom Fighters captured and destroyed enemy supplies and prevented enemy forces from using the supplies to kill members of the United States Armed Forces;

Whereas the Khmer and Lao/Hmong Freedom Fighters gathered and provided to the United States Armed Forces intelligence about enemy troop positions, movement, and strength;

Whereas the Khmer and Lao/Hmong Freedom Fighters provided food, shelter, and support to the United States Armed Forces;

Whereas the Khmer and Lao/Hmong Freedom Fighters facilitated the evacuation of the United States Embassy in Phnom Penh on April 12, 1975, by continuing to fight Khmer Rouge forces as the forces advanced upon the capital;

Whereas, in 2014, the Khmer and Lao/Hmong Freedom Fighters are still subject to intimidation, ridicule, discrimination, and death if identified in Cambodia or Laos;

Whereas veterans of the Khmer Mobile Guerrilla Forces, the Lao/Hmong Special Guerrilla Units, and the Khmer Republic Armed Forces defended human rights, freedom of speech, freedom of religion, and freedom of representation and association; and

Whereas the Khmer and Lao/Hmong Freedom Fighters have not yet received official recognition from the United States Government for their heroic efforts and support: Now, therefore, be it

*Resolved*, That the Senate affirms and recognizes the Khmer and Lao/Hmong Freedom Fighters and the people of Cambodia and Laos for their support and defense of the United States Armed Forces and freedom of democracy in Southeast Asia.

**SENATE RESOLUTION 463—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF BILLY FRANK, JR., AND EXPRESSING CONDOLENCES ON HIS PASSING**

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 463

Whereas in the 1850s, the United States Government signed a series of treaties with Washington State tribes under which the

tribes granted millions of acres of land to the United States in exchange for the establishment of reservations and the recognition of traditional hunting and fishing rights;

Whereas Billy Frank, Jr. was born to Willie Frank, Sr. and Angeline Frank on March 9, 1931, at Frank's Landing on the banks of the Nisqually River in Washington State;

Whereas the tireless efforts and dedication of Billy Frank, Jr. led to a historic legal victory that ensured that the United States would honor promises made in treaties with the Washington tribes;

Whereas Billy Frank, Jr. was first arrested in December of 1945, at the age of 14, for fishing for salmon in the Nisqually River;

Whereas Billy Frank, Jr. was subsequently arrested more than 50 times for exercising his treaty-protected right to fish for salmon;

Whereas over the years, Billy Frank, Jr. and other tribal members staged “fish-ins” that often placed the protestors in danger of being arrested or attacked;

Whereas during these fish-ins, Billy Frank, Jr. and others demanded that they be allowed to fish in historically tribal waters, a right the Nisqually had reserved in the Treaty of Medicine Creek;

Whereas declining salmon runs in Washington waters resulted in increased arrests of tribal members exercising their fishing rights under the Treaty;

Whereas on February 12, 1974, in the case of *United States v. Washington*, Judge George Hugo Boldt of the United States District Court for the Western District of Washington issued a decision that affirmed the right of Washington treaty tribes to take up to half of the harvestable fish in tribal fishing waters and reaffirmed that the United States must honor treaties made with Native American tribes;

Whereas the Ninth Circuit Court of Appeals and the Supreme Court of the United States upheld the Boldt decision, and the treaty tribes became co-managers of the salmon resource in the State of Washington;

Whereas after the Boldt decision, Billy Frank, Jr. continued his fight to protect natural resources, salmon, and a healthy environment;

Whereas the Northwest Indian Fisheries Commission, where Billy Frank, Jr. served as chairman, works to establish working relationships with State agencies and non-Indian groups to manage fisheries, restore and protect habitats, and protect tribal treaty rights;

Whereas Billy Frank, Jr. refused to be bitter in the face of jail, racism, and abuse, and his influence was felt not just in Washington State but around the world;

Whereas Billy Frank, Jr. was awarded the Albert Schweitzer Prize for Humanitarianism, the Common Cause Award for Human Rights Efforts, the American Indian Distinguished Service Award, the Washington State Environmental Excellence Award, and the Wallace Stegner Award for his years of service and dedication to his battle;

Whereas the legacy of Billy Frank, Jr. will live on in stories, in memories, and every time a tribal member exercises his or her right to harvest salmon in Washington State; and

Whereas the legacy of Billy Frank, Jr. transcends his 83 years and will provide inspiration to those still around today and those still to come: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the life, legacy, and many accomplishments of Billy Frank, Jr.; and

(2) extends its heartfelt sympathies and condolences to the family of Billy Frank,

Jr., the Nisqually Tribe, all Native Americans, and all people around the world who were inspired by his example.

**SENATE CONCURRENT RESOLUTION 36—PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY TO AWARD THE CONGRESSIONAL GOLD MEDAL TO THE NEXT OF KIN OR PERSONAL REPRESENTATIVE OF RAOUL WALLENBERG**

Mrs. GILLIBRAND submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 36

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF ROTUNDA FOR CEREMONY TO AWARD CONGRESSIONAL GOLD MEDAL TO THE NEXT OF KIN OR PERSONAL REPRESENTATIVE OF RAOUL WALLENBERG.**

(a) IN GENERAL.—The rotunda of the Capitol is authorized to be used on July 9, 2014, for a ceremony to award the Congressional Gold Medal to the next of kin or personal representative of Raoul Wallenberg in recognition of his achievements and heroic actions during the Holocaust.

(b) PREPARATIONS.—Physical preparations for the ceremony described in subsection (a) shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

**AMENDMENTS SUBMITTED AND PROPOSED**

**SA 3227.** Mr. REID (for Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI)) proposed an amendment to the bill S. 2198, to direct the Secretary of the Interior, the Secretary of Commerce, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency to take actions to provide additional water supplies to the State of California due to drought, and for other purposes.

**SA 3228.** Mr. REID (for Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI)) proposed an amendment to the bill S. 2198, supra.

**TEXT OF AMENDMENTS**

**SA 3227.** Mr. REID (for Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI)) proposed an amendment to the bill S. 2198, to direct the Secretary of the Interior, the Secretary of Commerce, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency to take actions to provide additional water supplies to the State of California due to drought, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

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

(a) SHORT TITLE.—This Act may be cited as the “Emergency Drought Relief Act of 2014”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Emergency projects.
- Sec. 5. Emergency environmental reviews.
- Sec. 6. State revolving funds.
- Sec. 7. Effect on State laws.
- Sec. 8. Termination of authorities.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) as established in the Proclamation of a State of Emergency issued by the Governor of the State on January 17, 2014, the State is experiencing record dry conditions;

(2) extremely dry conditions have persisted in the State since 2012, and the drought conditions are likely to persist into the future;

(3) the water supplies of the State are at record-low levels, as indicated by a statewide average snowpack of 12 percent of the normal average for winter as of February 1, 2014, and the fact that all major Central Valley Project reservoir levels are at or below 50 percent of the capacity of the reservoirs as of April 1, 2014;

(4) the 2013-2014 drought constitutes a serious emergency posing immediate and severe risks to human life and safety and to the environment throughout the State;

(5) the emergency requires—

(A) immediate and credible action that respects the complexity of the water system of the State and the importance of the water system to the entire State; and

(B) policies that do not pit stakeholders against one another, which history has shown only leads to costly litigation that benefits no one and prevents any real solutions;

(6) Federal law (including regulations) directly authorizes expedited decisionmaking procedures and environmental and public review procedures to enable timely and appropriate implementation of actions to respond to such a type and severity of emergency; and

(7) the serious emergency posed by the 2013-2014 drought in the State fully satisfies the conditions necessary for the exercise of emergency decisionmaking, analytical, and public review requirements under—

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

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(C) water control management procedures of the Corps of Engineers described in section 222.5 of title 33, Code of Federal Regulations (including successor regulations); and

(D) the Reclamation States Emergency Drought Relief Act of 1991 (Public Law 102-250; 106 Stat. 53).

**SEC. 3. DEFINITIONS.**

In this Act:

(1) CENTRAL VALLEY PROJECT.—The term “Central Valley Project” has the meaning given the term in section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707).

(2) KLAMATH PROJECT.—The term “Klamath Project” means the Bureau of Reclamation project in the States of California and Oregon, as authorized under the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(3) RECLAMATION PROJECT.—The term “Reclamation Project” means a project constructed pursuant to the authorities of the reclamation laws and whose facilities are wholly or partially located in the State.

(4) SECRETARIES.—The term “Secretaries” means—

(A) the Administrator of the Environmental Protection Agency;

(B) the Secretary of Agriculture;

(C) the Secretary of Commerce; and

(D) the Secretary of the Interior.

(5) STATE.—The term “State” means the State of California.

(6) STATE WATER PROJECT.—The term “State Water Project” means the water project described by California Water Code section 11550 et seq., and operated by the California Department of Water Resources.

**SEC. 4. EMERGENCY PROJECTS.**

(a) WATER SUPPLIES.—

(1) IN GENERAL.—In response to the declaration of a state of drought emergency by the Governor of the State, the Secretaries shall provide the maximum quantity of water supplies possible to Central Valley Project agricultural, municipal and industrial, and refuge service and repayment contractors, State Water Project contractors, and any other locality or municipality in the State, by approving, consistent with applicable laws (including regulations), projects and operations to provide additional water supplies as quickly as possible based on available information to address the emergency conditions.

(2) APPLICATION.—Paragraph (1) applies to projects or operations involving the Klamath Project if the projects or operations would benefit Federal water contractors in the State.

(b) LIMITATION.—Nothing in this section allows agencies to approve projects—

(1) that would otherwise require congressional authorization; or

(2) without following procedures required by applicable law.

(c) ADMINISTRATION.—In carrying out subsection (a), the Secretaries shall, consistent with applicable laws (including regulations)—

(1) authorize and implement actions to ensure that the Delta Cross Channel Gates shall remain open to the greatest extent possible, timed to maximize the peak flood tide period and provide water supply and water quality benefits for the duration of the drought emergency declaration of the State, consistent with operational criteria and monitoring criteria developed pursuant to the California State Water Resources Control Board’s Order Approving a Temporary Urgency Change in License and Permit Terms in Response to Drought Conditions, effective January 31, 2014, or a successor order;

(2)(A) collect data associated with the operation of the Delta Cross Channel Gates described in paragraph (1) and the impact of the operation on species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), water quality, and water supply; and

(B) after assessing the data described in subparagraph (A), require the Director of the National Marine Fisheries Service to recommend revisions to operations of the Central Valley Project and the California State Water Project, including, if appropriate, the reasonable and prudent alternatives contained in the biological opinion issued by the National Marine Fisheries Service on June 4, 2009, that are likely to produce fishery, water quality, and water supply benefits;

(3)(A) implement turbidity control strategies that allow for increased water deliveries while avoiding jeopardy to adult delta smelt (*Hypomesus transpacificus*) due to entrainment at Central Valley Project and State Water Project pumping plants; and

(B) manage reverse flow in the Old and Middle Rivers as prescribed by the biological opinions issued by the United States Fish and Wildlife Service on December 15, 2008, for Delta smelt and by the National Marine Fisheries Service on June 4, 2009, for salmonids, to minimize water supply reductions for the Central Valley Project and the State Water Project;

(4) adopt a 1:1 inflow to export ratio for the increased flow of the San Joaquin River, as measured as a 3-day running average at Vernalis during the period from April 1 through May 31, resulting from voluntary transfers and exchanges of water supplies, among other purposes;