

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

Mr. LEVIN. I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 9, 2014, at 10 a.m. to conduct a hearing entitled "Challenges at the Border: Examining the Causes, Consequences, and the Response to the Rise in Apprehensions at the Southern Border."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON INDIAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 9, 2014, at 2:30 p.m., in room SD-628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I would request that floor privileges for the balance of the month be afforded to my interns: Annika Graham, Nathan Sidell, Amber Vernon, Rebecca Carney-Braveman, Samuel Ortiz, Eryn Ysais, Marcus Gamble, Diane Murph, Izabella Powers, Sarah Pherson, Kendall Eilo, and Ben Gilman.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Briggs Noun and Margaret Chelsvig, interns in my office, be granted privileges of the floor for today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Audrey Mechling, be granted privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the energy committee be discharged from further consideration of H.R. 291 and H.R. 356; that the Senate proceed to their consideration and the consideration of the following calendar number items en bloc: Calendar No. 256, H.R. 255; Calendar No. 226, H.R. 330; Calendar No. 359, H.R. 507; Calendar No. 353, H.R. 697; Calendar No. 361, H.R. 876; Calendar No. 362, H.R. 1158; Calendar No. 399, H.R. 2337; Calendar No. 369, H.R. 3110; Calendar No. 54, S. 247; Calendar No. 57, S. 311; Calendar No. 60, S. 354; Calendar No. 129, S. 363; Calendar No. 118, S. 476; and Calendar No. 120, S. 609.

There being no objection, the Senate proceeded to consider the bills en bloc.

CONVEYANCE OF CERTAIN CEMET-  
TERIES LOCATED ON NATIONAL  
FOREST SYSTEM LAND

The bill (H.R. 291) to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, was ordered to a third reading and was read the third time.

UINTAH AND OURAY INDIAN RES-  
ERVATION IN THE STATE OF  
UTAH

The bill (H.R. 356) to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes," was ordered to a third reading and was read the third time.

PROVO RIVER PROJECT  
CLARIFYING ACT

The bill (H.R. 255) to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes, was ordered to a third reading and was read the third time.

H.R. 255

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

SECTION 1. CLARIFYING CERTAIN PROPERTY DE-  
SCRIPTIONS IN PROVO RIVER  
PROJECT TRANSFER ACT.

(a) PLEASANT GROVE PROPERTY.—Section 2(4)(A) of the Provo River Project Transfer Act (Public Law 108-382; 118 Stat. 2212) is amended by striking "of enactment of this Act" and inserting "on which the parcel is conveyed under section 3(a)(2)".

(b) PROVO RESERVOIR CANAL.—Section 2(5) of the Provo River Project Transfer Act (Public Law 108-382; 118 Stat. 2212) is amended—

(1) by striking "canal, and any associated land, rights-of-way, and facilities" and inserting "water conveyance facility historically known as the Provo Reservoir Canal and all associated bridges, fixtures, structures, facilities, lands, interests in land, and rights-of-way held,";

(2) by inserting "and forebay" after "Diversion Dam";

(3) by inserting "near the Jordan Narrows to the point where water is discharged to the Welby-Jacob Canal and the Utah Lake Distributing Canal" after "Penstock"; and

(4) by striking "of enactment of this Act" and inserting "on which the Provo Reservoir Canal is conveyed under section 3(a)(1)".

DISTINGUISHED FLYING CROSS  
NATIONAL MEMORIAL ACT

The bill (H.R. 330) to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, was ordered to a third reading and was read the third time.

H.R. 330

*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 "Distinguished Flying Cross National Memorial Act".

SEC. 2. DESIGNATION OF DISTINGUISHED FLYING  
CROSS NATIONAL MEMORIAL IN RIV-  
ERSIDE, CALIFORNIA.

(a) FINDINGS.—Congress finds the following:

(1) The most reliable statistics regarding the number of members of the Armed Forces who have been awarded the Distinguished Flying Cross indicate that 126,318 members of the Armed Forces received the medal during World War II, approximately 21,000 members received the medal during the Korean conflict, and 21,647 members received the medal during the Vietnam War. Since the end of the Vietnam War, more than 203 Armed Forces members have received the medal in times of conflict.

(2) The National Personnel Records Center in St. Louis, Missouri, burned down in 1973, and thus many more recipients of the Distinguished Flying Cross may be undocumented. Currently, the Department of Defense continues to locate and identify members of the Armed Forces who have received the medal and are undocumented.

(3) The United States currently lacks a national memorial dedicated to the bravery and sacrifice of those members of the Armed Forces who have distinguished themselves by heroic deeds performed in aerial flight.

(4) An appropriate memorial to current and former members of the Armed Forces is under construction at March Field Air Museum in Riverside, California.

(5) This memorial will honor all those members of the Armed Forces who have distinguished themselves in aerial flight, whether documentation of such members who earned the Distinguished Flying Cross exists or not.

(b) DESIGNATION.—The memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross, located at March Field Air Museum in Riverside, California, is hereby designated as the Distinguished Flying Cross National Memorial.

(c) EFFECT OF DESIGNATION.—The national memorial designated by this section is not a unit of the National Park System, and the designation of the national memorial shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial.

PASCUA YAQUI TRIBE TRUST  
LAND ACT

The bill (H.R. 507) to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui of Arizona, and for other purposes, was ordered to a third reading and was read the third time.

H.R. 507

*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 "Pascua Yaqui Tribe Trust Land Act".

## SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) DISTRICT.—The term "District" means the Tucson Unified School District, a school district recognized as such under the laws of the State of Arizona.

(2) MAP.—The term "map" means the map titled "PYT Land Department" and dated January 15, 2013.

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

(4) TRIBE.—The term "Tribe" means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

**SEC. 3. LANDS TO BE HELD IN TRUST.**

(a) **PARCEL A.**—Subject to subsection (c) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel A are declared to be held in trust by the United States for the benefit of the Tribe.

(b) **PARCEL B.**—Subject to subsection (c) and valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel B are declared to be held in trust by the United States for the benefit of the Tribe.

(c) **EFFECTIVE DATE.**—Subsections (a) and (b) shall take effect on the day after the date on which—

(1) the District relinquishes all right, title, and interest of the District in and to the land described in subsection (b); and

(2) the Secretary (or a delegate of the Secretary) approves and records the lease agreement between the Tribe and the District for the construction and operation of a regional transportation facility located on the restricted Indian land of the Tribe in accordance with the requirements of the first section of the Act entitled “An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases”, approved August 9, 1955 (25 U.S.C. 415), and part 162 of title 25, Code of Federal Regulations (including successor regulations).

**SEC. 4. GAMING PROHIBITION.**

The Tribe may not conduct gaming activities on the lands held in trust under this Act, as a matter of claimed inherent authority, or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

**SEC. 5. WATER RIGHTS.**

(a) **IN GENERAL.**—There shall not be Federal reserved rights to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(b) **STATE WATER RIGHTS.**—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(c) **FORFEITURE OR ABANDONMENT.**—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this Act may not be forfeited or abandoned.

(d) **ADMINISTRATION.**—Nothing in this Act affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95–375 (25 U.S.C. 1300f et seq.).

### THREE KIDS MINE REMEDIATION AND RECLAMATION ACT

The bill (H.R. 697) to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes, was ordered to a third reading, and was read the third time.

### IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

The bill (H.R. 876) to authorize the continued use of certain water diver-

sions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes, was ordered to a third reading and was read the third time.

H.R. 876

*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 “Idaho Wilderness Water Resources Protection Act”.

### **SEC. 2. TREATMENT OF EXISTING WATER DIVERSIONS IN FRANK CHURCH-RIVER OF NO RETURN WILDERNESS AND SELWAY-BITTERROOT WILDERNESS, IDAHO.**

(a) **AUTHORIZATION FOR CONTINUED USE.**—The Secretary of Agriculture shall issue a special use authorization to the owners of a water storage, transport, or diversion facility (in this section referred to as a “facility”) located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land upon which the facility is located was designated as part of the National Wilderness Preservation System (in this section referred to as “the date of designation”);

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the owner's non-Federal land since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the owner's non-Federal land under Idaho State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) **TERMS AND CONDITIONS.**—

(1) **REQUIRED TERMS AND CONDITIONS.**—In a special use authorization issued under subsection (a), the Secretary shall—

(A) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(i) the use is necessary to allow the facility to continue delivery of water to the non-Federal land for the beneficial uses recognized by the water right held under Idaho State law; and

(ii) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(B) preclude use of the facility for the storage, diversion, or transport of water in excess of the water right recognized by the State of Idaho on the date of designation.

(2) **DISCRETIONARY TERMS AND CONDITIONS.**—In a special use authorization issued under subsection (a), the Secretary may—

(A) require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished; and

(B) require that the owner provide a reciprocal right of access across the non-Federal property, in which case, the owner shall receive market value for any right-of-way or other interest in real property conveyed to the United States, and market value may be

paid by the Secretary, in whole or in part, by the grant of a reciprocal right-of-way, or by reduction of fees or other costs that may accrue to the owner to obtain the authorization for water facilities.

### **NORTH CASCADES NATIONAL PARK SERVICE COMPLEX FISH STOCKING ACT**

The bill (H.R. 1158) to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, was ordered to a third reading and was read the third time.

H.R. 1158

*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 “North Cascades National Park Service Complex Fish Stocking Act”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.**—The term “North Cascades National Park Service Complex” means collectively the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

(2) **PLAN.**—The term “plan” means the document entitled “North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan and Environmental Impact Statement” and dated June 2008.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

### **SEC. 3. STOCKING OF CERTAIN LAKES IN THE NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.**

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall authorize the stocking of fish in lakes in the North Cascades National Park Service Complex.

(b) **CONDITIONS.**—

(1) **IN GENERAL.**—The Secretary is authorized to allow stocking of fish in not more than 42 of the 91 lakes in the North Cascades National Park Service Complex that have historically been stocked with fish.

(2) **NATIVE NONREPRODUCING FISH.**—The Secretary shall only stock fish that are—

(A) native to the slope of the Cascade Range on which the lake to be stocked is located; and

(B) nonreproducing, as identified in management alternative B of the plan.

(3) **CONSIDERATIONS.**—In making fish stocking decisions under this Act, the Secretary shall consider relevant scientific information, including the plan and information gathered under subsection (c).

(4) **REQUIRED COORDINATION.**—The Secretary shall coordinate the stocking of fish under this Act with the State of Washington.

(c) **RESEARCH AND MONITORING.**—The Secretary shall—

(1) continue a program of research and monitoring of the impacts of fish stocking on the resources of the applicable unit of the North Cascades National Park Service Complex; and

(2) beginning on the date that is 5 years after the date of enactment of this Act and every 5 years thereafter, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the research and monitoring under paragraph (1).