

The bill under consideration today will do three things:

First, redesignate the national monument as the Reconstruction Era National Historical Park;

Second, provide for possible boundary expansions within the Beaufort National Historic Landmark District and on St. Helena Island; and

Third, establish the Reconstruction Era National Historic Network.

As a national park is the highest level of protection and prestige our government can bestow, I believe passing this legislation will send a powerful message regarding the significance of these Reconstruction sites.

Having served previously as the sponsor of the legislation redesignating the Congaree Swamp National Monument as the Congaree National Park, I can attest that the rebranding of the park resulted in an increase in annual visitors of almost 20 percent, a significant economic impact to rural South Carolina.

Congress has, in recent years, redesignated both the Martin Luther King, Jr. National Historic Site and the Harriet Tubman Underground Railroad National Monument as national historical parks, two sites with similar historical significance but focus on much different aspects of American history.

Of course, the sites currently included in the national monument are not the only significant Reconstruction sites worthy of preservation. This legislation would allow for expansion of the boundary near the existing monument. Several very significant Reconstruction sites in the area were considered for inclusion. This bill would allow for expansion with appropriate agreement between all owners and stakeholders.

However, it is not feasible to incorporate all historic sites from Reconstruction into one national park. The Reconstruction Era National Historic Network would be a program operated by the National Park Service, but sites in the network will be managed by their current owners, whether Federal, State, local, or private.

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This concept has been utilized in the National Underground Railroad Network to Freedom and the recently enacted African American Civil Rights Network.

When the national monument was under construction, I heard from many communities with sites they thought were worthy of inclusion. With the network in place, communities can make their case for Federal recognition and assistance for their significant Reconstruction era sites without the National Park Service having to take on the obligation of owning or managing the sites.

Sites like Mitchelville on Hilton Head Island, which was a self-governing African-American community established during the Civil War, are deserving of Federal recognition.

Mitchelville is perfect for the network concept, where the local municipal leadership is moving forward to manage the site on their own, but would welcome the increased recognition and visibility that inclusion in the network would provide.

I often invoke the adage that if we fail to learn the lessons of our history, we are bound to repeat it. Sadly, many of the gains made by African Americans during the Reconstruction era were lost in the Jim Crow era that followed. Reconstruction is a story of the triumph of freedom, but it is also a lesson that freedoms are not permanent and can be fleeting, if not protected.

Passage of this legislation, helping our Nation preserve, protect, document, and promote the history of Reconstruction, is critical to avoiding past mistakes and guiding our pursuit of a more perfect Union.

Mr. GIANFORTE. Mr. Speaker, I reserve the balance of my time.

Ms. TSONGAS. Mr. Speaker, as we know, H.R. 5532 establishes the Reconstruction Era National Historical Park in and around Beaufort, South Carolina, to honor, protect, and preserve the historic structures and other resources from that chapter in American history. We know how effective that kind of protection can be.

Recognizing the importance of highlighting the resources in Beaufort, President Obama used the Antiquities Act to designate the site as a national monument.

This bill is an important follow-up to that original designation. It will ensure permanent protection and provide steady guidelines for future management.

I want to thank Mr. CLYBURN for his hard work throughout the initial designation process and the development of this bill. Without his leadership, this project would not have come this far, and he deserves our recognition.

Mr. Speaker, I yield back the balance of my time.

Mr. GIANFORTE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, H.R. 5532, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### BUREAU OF RECLAMATION TRANSPARENCY ACT

Mr. GIANFORTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 660) to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 660

*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 “Bureau of Reclamation Transparency Act”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the water resources infrastructure of the Bureau of Reclamation provides important benefits related to irrigated agriculture, municipal and industrial water, hydropower, flood control, fish and wildlife, and recreation in the 17 Reclamation States;

(2) as of 2013, the combined replacement value of the infrastructure assets of the Bureau of Reclamation was \$94,500,000,000;

(3) the majority of the water resources infrastructure facilities of the Bureau of Reclamation are at least 60 years old;

(4) the Bureau of Reclamation has previously undertaken efforts to better manage the assets of the Bureau of Reclamation, including an annual review of asset maintenance activities of the Bureau of Reclamation known as the “Asset Management Plan”; and

(5) actionable information on infrastructure conditions at the asset level, including information on maintenance needs at individual assets due to aging infrastructure, is needed for Congress to conduct oversight of Reclamation facilities and meet the needs of the public.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) ASSET.—

(A) IN GENERAL.—The term “asset” means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) INCLUSIONS.—The term “asset” includes assets described in subparagraph (A) that are considered to be mission critical.

(2) ASSET MANAGEMENT REPORT.—The term “Asset Management Report” means—

(A) the annual plan prepared by the Bureau of Reclamation known as the “Asset Management Plan”; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term “major repair and rehabilitation need” means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) RECLAMATION FACILITY.—The term “Reclamation facility” means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) RECLAMATION PROJECT.—The term “Reclamation project” means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) **RESERVED WORKS.**—The term “reserved works” means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

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

(8) **TRANSFERRED WORKS.**—The term “transferred works” means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

#### SEC. 4. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) **INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.**—

(1) **IN GENERAL.**—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) **INCLUSIONS.**—To the extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) **RATING REQUIREMENTS.**—

(A) **IN GENERAL.**—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) **GUIDANCE.**—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) **PUBLIC AVAILABILITY.**—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the Internet, the Asset Management Report required under subsection (a).

(5) **CONFIDENTIALITY.**—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) **UPDATES.**—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 5(b)(2).

(d) **CONSULTATION.**—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—

(1) the Secretary of the Army (acting through the Chief of Engineers); and

(2) water and power contractors.

#### SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) **IN GENERAL.**—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 4(b).

(b) **GUIDANCE.**—

(1) **IN GENERAL.**—After considering input from water and power contractors of the Bureau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under section 4(b)(3).

(2) **UPDATES.**—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 4(c).

#### SEC. 6. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by \$2,000,000.

The **SPEAKER** pro tempore (Mr. POE of Texas). Pursuant to the rule, the gentleman from Montana (Mr. GIANFORTE) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Montana.

#### GENERAL LEAVE

Mr. GIANFORTE. Mr. Speaker, I ask unanimous consent for all Members to have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. GIANFORTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 660 is bipartisan legislation introduced by Representative PAUL GOSAR of Arizona.

For more than a century, the Bureau of Reclamation has transformed the West into a powerhouse that feeds the Nation and the world, and provides renewable and emissions-free energy for millions.

Bureau of Reclamation projects have proven to be critical to the American

way of life in the West, and we must ensure their protection for future generations. This means having open and honest discussions about the challenges the Bureau of Reclamation faces maintaining and repairing these projects.

To that end, H.R. 660 is a bipartisan bill that requires the Federal Government to make public in a unified way the estimated cost of repairs for reclamation facilities. The American public has asked for and deserves laws that reflect transparency and open discussion. H.R. 660 delivers that.

Mr. Speaker, I thank the gentleman from Arizona for his work on this. I urge adoption, and I reserve the balance of my time.

Ms. TSONGAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 660 would improve data collection and reporting on the condition of Bureau of Reclamation infrastructure. Much of the Bureau of Reclamation's aging water infrastructure was constructed more than one-half century ago.

It is critically important that Congress and the public have sufficient information on which facilities are most in need of major repairs, if we are going to properly address our Nation's water infrastructure needs.

H.R. 660 is bipartisan legislation that will help Congress gather the information we need.

I would also like to note for the record that stakeholders have expressed a desire for minor changes to section 6 of this bill, so that there are no unintended consequences for proposed water recycling projects. As this bill advances through the legislative process, it will be important to work with the bill sponsor and our Senate colleagues to refine the bill text.

Mr. Speaker, I support passage of this legislation, and I reserve the balance of my time.

Mr. GIANFORTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, I thank the gentleman from Montana for yielding me the time.

Mr. Speaker, I rise today in strong support of H.R. 660, the Bureau of Reclamation Transparency Act.

This bicameral, bipartisan legislation increases transparency, consolidates multiple reports, and requires the Bureau of Reclamation, the BOR, to do a thorough inventory of its assets, as well as prioritize major repairs necessary at the agency's facilities.

This bill has a strong history of bipartisan support. It was approved unanimously by the Senate in the 113th Congress, with Senators BARRASSO and SCHATZ ushering passage. The previous administration testified in strong support of the bill last Congress.

This Congress, the Trump administration testified in strong support of the Senate bill, which is identical to the House bill.

The bill has five Democratic cosponsors and 15 Republican cosponsors. The bill passed the House Committee on Natural Resources by unanimous consent. Senator BARRASSO and Senator SCHATZ are again spearheading the Senate companion, and the Senate bill has passed the Senate Committee on Energy and Natural Resources.

For more than a century, the Bureau of Reclamation has transformed the West into a powerhouse that feeds the Nation and the world while also providing renewable, emissions-free energy for millions of Americans.

BOR provides essential services that benefit water and power users, as well as our Nation's farmers. The agency delivers water to more than 30 million people and provides one in five Western farmers with water to irrigate their crops.

The BOR's assets include more than 476 dams and dikes, and the agency is also responsible for the operations of 53 different hydroelectric power plants.

This legislation is timely and necessary. The Bureau of Reclamation was established in 1902, and much of the agency's now-aging infrastructure was built more than 50 years ago. Many of the facilities operated by the BOR are in desperate need of repairs, to the tune of several billion dollars.

This bill requires the Federal Government make public the estimated cost of repairs for reclamation facilities. For years, Congress and water users throughout the country have asked for such information, only to be rebuffed time and again.

Taxpayers deserve accountability from their government and oversight on how it spends their money. Sunshine on expenditures and increased transparency is good for any Federal bureaucracy or agency.

The Bureau of Reclamation Transparency Act requires a cost estimate and a detailed list of major repairs for BOR facilities. Such actions will allow for meaningful steps to be taken to address the maintenance backlog, as well as to ensure an abundant supply of clean water and power for future generations.

Mr. Speaker, I appreciate the committee's time and work on this bill, and I urge my colleagues to vote in favor of H.R. 660.

Ms. TSONGAS. Mr. Speaker, I yield back the balance of my time.

Mr. GIANFORTE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, H.R. 660.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

# AUTHORIZING EARLY REPAYMENT OF OBLIGATIONS TO BUREAU OF RECLAMATION WITHIN NORTHPORT IRRIGATION DISTRICT

Mr. GIANFORTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4689) to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4689

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

## SECTION 1. EARLY REPAYMENT OF CONSTRUCTION COSTS.

(a) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within the Northport Irrigation District in the State of Nebraska (referred to in this section as the "District") may repay, at any time, the construction costs of project facilities allocated to the landowner's land within the District.

(b) APPLICABILITY OF FULL-COST PRICING LIMITATIONS.—On discharge, in full, of the obligation for repayment of all construction costs described in subsection (a) that are allocated to all land the landowner owns in the District in question, the parcels of land shall not be subject to the ownership and full-cost pricing limitations under Federal reclamation law (the Act of June 17, 1902, 32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), including the Reclamation Reform Act of 1982 (13 U.S.C. 390aa et seq.).

(c) CERTIFICATION.—On request of a landowner that has repaid, in full, the construction costs described in subsection (a), the Secretary of the Interior shall provide to the landowner a certificate described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(d) EFFECT.—Nothing in this section—

(1) modifies any contractual rights under, or amends or reopens, the reclamation contract between the District and the United States; or

(2) modifies any rights, obligations, or relationships between the District and landowners in the District under Nebraska State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Montana (Mr. GIANFORTE) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Montana.

## GENERAL LEAVE

Mr. GIANFORTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. GIANFORTE. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, under Federal reclamation law, irrigation districts that receive water from a Bureau of Reclamation facility

typically repay their portion of the capital costs of water projects under long-term contracts.

Under its current contract and current law, Northport Irrigation District is exempt from annual capital repayment if their carriage fee exceeds \$8,000 per year. Given the carriage fee has greatly exceeded this amount every year since the 1950s, Northport's capital repayment debt has been stagnant at more than \$923,000 since 1952. So long as the debt endures, landowners are subject to burdensome reporting requirements and acreage limitations, and no revenue is generated for the Federal Government.

I introduced this bill to provide members of the Northport Irrigation District early repayment authority under their dated reclamation contract. Allowing producers within the Northport Irrigation District to pay off their portion of the contract means the government will receive funds otherwise uncollected and landowners will be relieved of costly constraints that threaten family-owned operations.

For example, at a previous Water, Power and Oceans Subcommittee hearing, a member of the Northport district testified that acreage limitations will prohibit parents who own land in the district from passing down or selling farmland to sons and daughters who also own land in the same district.

Similar legislation has previously passed under bipartisan majorities and, according to past CBO projections, could generate as much as \$440,000 in Federal revenue.

This is a very simple bill that would make a big difference to some family farmers in Nebraska.

Mr. GIANFORTE. Mr. Speaker, I reserve the balance of my time.

Ms. TSONGAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4689 would authorize landowners served by the Northport Irrigation District to prepay the remaining portion of construction costs allocated to them for the North Platte project. In exchange, the landowners who pay will no longer be subject to Federal acreage limitations and other requirements associated with the Reclamation Reform Act.

Mr. Speaker, we do not object to this legislation, and I yield back the balance of my time.

Mr. GIANFORTE. Mr. Speaker, I want to recognize Mr. SMITH for his work on this bill, and I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, H.R. 4689.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. GIANFORTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.