

Ms. FOXX. Mr. Speaker, I appreciate Congressman SCOTT's comments very much. We have worked together very well. Now I urge my colleagues to vote for S. 5355, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the bill, S. 5355.

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.

#### KLAMATH BASIN WATER AGREEMENT SUPPORT ACT OF 2024

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7938) to amend the Klamath Basin Water Supply Enhancement Act of 2000 to provide the Secretary of the Interior with certain authorities with respect to projects affecting the Klamath Basin watershed, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7938

*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 "Klamath Basin Water Agreement Support Act of 2024".

#### SEC. 2. KLAMATH PROJECT WATER AND POWER.

(a) ADDRESSING WATER, POWER, AND FACILITIES MANAGEMENT FOR IRRIGATION.—Section 4 of the Klamath Basin Water Supply Enhancement Act of 2000 (Public Law 106-498) is amended by adding at the end the following:

“(d) RESTORATION ACTIVITIES.—The Secretary may—

“(1) plan, design, construct, operate, and maintain projects in the Klamath Basin watershed, including—

“(A) facilities to reduce fish entrainment;

“(B) projects that reduce or avoid impacts on aquatic resources of facilities involved in the storage or diversion of water for irrigation in the Klamath Project service area; and

“(C) projects that restore habitats in the Klamath Basin watershed, including Tribal fishery resources held in trust;

“(2) undertake studies, including feasibility studies, and improvements that the Secretary determines to be necessary to implement this subsection;

“(3) in implementing this subsection, enter into contracts, memoranda of understanding, financial assistance agreements, cost-sharing agreements, or other appropriate agreements with—

“(A) State, Tribal, and local governmental agencies; and

“(B) private parties; and

“(4) accept and expend non-Federal funds in order to facilitate implementation of this subsection.

“(e) GOALS.—The goals of activities under subsections (b) and (d) shall include, as applicable—

“(1) the short-term and long-term reduction and resolution of conflicts relating to water in the Klamath Basin watershed; and

“(2) compatibility and utility for protecting natural resources throughout the

Klamath Basin watershed, including the protection, preservation, and restoration of Klamath River Tribal fishery resources, particularly through collaboratively developed agreements.

“(f) PUMPING PLANT D.—The Secretary may enter into 1 or more agreements with the Tulelake Irrigation District to reimburse the Tulelake Irrigation District for not more than 69 percent of the cost incurred by the Tulelake Irrigation District for the operation and maintenance of Pumping Plant D, subject to the condition that the cost results in benefits to the United States.

“(g) KENO AND LINK RIVER DAMS.—The Secretary of the Interior shall comply with the terms of the agreement entitled ‘2016 Klamath Power and Facilities Agreement’ (‘Agreement’), including Attachment A to the Agreement.”.

(b) ADMINISTRATION; EFFECT.—

(1) COMPLIANCE.—In implementing the amendments made by this section, the Secretary of the Interior shall comply with—

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

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

(C) all other applicable laws.

(2) EFFECT.—None of the amendments made by this section—

(A) modify any authority or obligation of the United States with respect to any Tribal trust or treaty obligation of the United States;

(B) create or determine any water right; or

(C) affect any water right or water right claim in existence on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. WESTERMAN) and the gentlewoman from California (Ms. KAMLAGER-DOVE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

#### GENERAL LEAVE

Mr. WESTERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7938, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 7938, the Klamath Basin Water Agreement Support Act of 2024.

This legislation, sponsored by Congressman CLIFF BENTZ, would uphold the commitments made by the Federal Government in the agreements concerning dam removal and species restoration, which are aimed at ensuring farmers are shielded from the adverse effects of these actions.

The Klamath River Basin in southern Oregon and northern California encompasses more than 12,000 square miles with some of the most productive irrigated agriculture in the country.

The basin is partially supported by the Bureau of Reclamation's Klamath Project and is home to six national wildlife refuges, which rely on basin

waters to sustain migratory bird habitats and support Native American Tribal fishing grounds. However, this basin has been plagued by decades of disagreement and conflicting agency opinions on how to best conserve the ESA-listed species.

While H.R. 7938 provides the Department of the Interior the authorization to operate and improve infrastructure, it makes clear that Klamath Project irrigators are not responsible for those costs. The bill also enables Reclamation to implement conservation measures for ESA-listed species through fish screens and other restoration projects. This would protect Tribal resources in the basin and avoid additional regulatory burdens on other stakeholders.

Mr. Speaker, I thank Congressman BENTZ for his diligent leadership on this issue and tireless support of the Klamath Basin. I urge my colleagues to support the bill, and I reserve the balance of my time.

Ms. KAMLAGER-DOVE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Klamath Basin Water Agreement Support Act, which seeks to resolve stakeholder conflicts regarding water use and fish and wildlife management in the Klamath River Basin.

Since time immemorial, the Klamath River has supported the livelihoods of several tribes in the basin. It continues to play a key role in each of these tribes' cultures, economies, and food sovereignty.

Unfortunately, the construction of dams along the river and changing climate conditions in the basin resulted in devastating consequences for tribes, agriculture, fish and wildlife, and fishing communities as a result of reduced water flows.

Since planning for dam removal in the lower Klamath River started, there have been years of work and negotiations between the tribes and other parties to reach agreement on issues affecting water, fish, and wildlife in the basin.

After the removal of the four lower Klamath Dams, salmon have already begun migrating into previously inaccessible historic salmon spawning habitat. Good for them.

The legislation before us today would build on this historic restoration project by further supporting the commitments made under the Klamath Basin agreements.

I thank the majority for working with us to ensure that Tribal concerns with the introduced language were addressed prior to moving the bill out of committee.

Mr. Speaker, I ask my colleagues to support the bill, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BENTZ), the lead sponsor of the bill.

Mr. BENTZ. Mr. Speaker, I rise in support of H.R. 7938, as amended.

This long overdue legislation is necessary if the Federal Government is to honor critical commitments it has made to farmers and ranchers in my district in Oregon and Mr. LAMALFA's district in northern California.

For generations, farmers and ranchers receiving water delivered from the Klamath River and Klamath Lake have assumed the risk of weather, skyrocketing costs of production, wildly fluctuating markets, while playing by the rules, conserving more and more water, and continuing to do their best to provide high-quality food for our Nation.

However, over the past 25 years, they have done so under the additional burden of federally mandated drastic reductions in the amount of water they have State certified rights to use. These reductions dictated federally, coupled with increasing drought, threaten farmers' and ranchers' livelihoods, the communities that rely upon them, and ultimately our Nation's food supply.

The reason this legislation is needed now is because earlier this year, the four hydroelectric dams on the Klamath River in Oregon and California were dismantled and removed. This leaves operation of instream structures, located upriver from the now removed four hydroelectric dams, at legal risk through no fault or action of or by the farmers.

□ 1600

As context, Mr. Speaker, for over 100 years, there were four hydroelectric facilities on the Klamath River. These facilities were located downstream from the Klamath Reclamation Project diversion structures. The four hydroelectric dams generated low-cost, clean, renewable energy for over a century. Although they were built by a local company, they were eventually acquired by PacifiCorp, a nationally operating investor-owned electrical utility.

In recent years, State and Federal regulators decided they wanted the four lower dams on the Klamath River removed. Regulations and litigation drove the cost of relicensing these dams through the roof, leading their owner, PacifiCorp, to the not-too-surprising conclusion that disposing of rather than relicensing the dams was the best path forward.

Based on this, PacifiCorp agreed the dams could be removed, but only if someone else assumed all legal responsibility and paid for all the work.

In addition, as a condition of allowing the four hydroelectric dams to be removed, PacifiCorp demanded that the U.S. Bureau of Reclamation assume ownership of all remaining water infrastructure previously owned by PacifiCorp, including the Link River and Keno Dams, regardless of their condition, shifting all and whatever liabilities, known and unknown, that might burden them to the Bureau of Reclamation.

In the 15 years before removal of the hydroelectric dams, farmers and ranchers on the Klamath Project were promised that they would not have to bear the cost of retrofitting and updating this upstream infrastructure. This legislation will finally deliver on those promises.

Mr. Speaker, I include in the CONGRESSIONAL RECORD a link to this copy of the 2016 Klamath Power and Facilities Agreement, which reflects some of these promises: [https://bentz.house.gov/sites/evo-subsites/bentz.house.gov/files/evo-media-document/OR02Sharp\\_20241217\\_150611-compressed.pdf](https://bentz.house.gov/sites/evo-subsites/bentz.house.gov/files/evo-media-document/OR02Sharp_20241217_150611-compressed.pdf)

In addition, Mr. Speaker, H.R. 7938 partially addresses another consequence of the destruction of these dams. The major reason for their removal was to allow salmon, steelhead, and other fish to migrate up rivers and streams to new areas. However, accompanying these returning fish are regulations and regulators anxious to make sure that the fish have appropriate means of passage, but the Klamath Project's irrigation infrastructure was not built or designed to deal with the needs of these species.

Over the past 15 years, irrigators in the Klamath Project have been repeatedly assured that there would not be any significant new regulatory burden or costs imposed upon them associated with removal of the four dams and the resultant arrival of fish, yet here we are.

Fortunately, this legislation would give the Bureau of Reclamation some of the authority and tools needed to keep that promise.

I thank my colleagues, Mr. LAMALFA, Ranking Member HUFFMAN, and the Natural Resources Committee for supporting and working with me on this important bill. I also thank Chair WESTERMAN.

Mr. Speaker, I urge a "yes" vote on H.R. 7938.

Ms. KAMLAGER-DOVE. Mr. Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, H.R. 7938 would provide important tools and certainty for both wildlife and people living in the Klamath River Basin. The irrigated lands of the Klamath Project support family farms and ranches, Tribal fishing rights, and the recovery of several ESA-listed fish species. This legislation builds upon vital work being done by these groups.

Mr. Speaker, I again thank my colleague, Mr. BENTZ, for his work on the bill. I urge Members to support this commonsense legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. WESTERMAN) that the House suspend the rules and pass the bill, H.R. 7938, 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.

#### MODERNIZING ACCESS TO OUR PUBLIC WATERS ACT

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6127) to provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6127

*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 "Modernizing Access to Our Public Waters Act" or the "MAPWaters Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL FISHING RESTRICTION.—The term "Federal fishing restriction" means a defined area in which all or certain fishing activities are temporarily or permanently prohibited or restricted by a Federal land or water management agency.

(2) FEDERAL LAND OR WATER MANAGEMENT AGENCY.—The term "Federal land or water management agency" means—

(A) the Bureau of Reclamation;

(B) the National Park Service;

(C) the Bureau of Land Management;

(D) the United States Fish and Wildlife Service; and

(E) the Forest Service.

(3) FEDERAL WATERWAY.—The term "Federal waterway" means any portion of a body of water managed partially or wholly by 1 or more of the relevant Secretaries.

(4) FEDERAL WATERWAY RESTRICTION.—The term "Federal waterway restriction" means a restriction on the access or use of a Federal waterway applied under applicable law by 1 or more of the Secretaries.

(5) SECRETARIES.—The term "Secretaries" means—

(A) the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) the Secretary of the Interior.

#### SEC. 3. INTERAGENCY DATA STANDARDIZATION.

Not later than 30 months after the date of enactment of this Act, the Secretaries, in coordination with the Federal Geographic Data Committee established by section 753(a) of the FAA Reauthorization Act of 2018 (43 U.S.C. 2802(a)), shall jointly develop and adopt interagency standards to ensure compatibility and interoperability among applicable Federal databases with respect to the collection and dissemination of geospatial data relating to public outdoor recreational access of Federal waterways and Federal fishing restrictions.

#### SEC. 4. DATA CONSOLIDATION AND PUBLICATION.

(a) FEDERAL WATERWAY RESTRICTIONS.—Not later than 4 years after the date of enactment of this Act, each of the Secretaries, to the maximum extent practicable, shall digitize and make publicly available online, as applicable, geographic information system data that includes, with respect to Federal waterway restrictions—

(1) status information with respect to the conditions under which Federal waterways