

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.

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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

are open or closed to entry or watercraft, including watercraft inspection, decontamination requirements, low-elevation aircraft, or diving;

(2) the dates on which Federal waterways are seasonally closed to entry or watercraft;

(3) the areas of Federal waterways with restrictions on motorized propulsion, horsepower, or fuel type;

(4) the areas of Federal waterways with anchoring restrictions, no wake zones, exclusion zones, danger areas, or vessel speed restrictions;

(5) Federal waterway restrictions on the direction of travel, including upstream or downstream travel; and

(6) the types of watercraft that are restricted on each area of a Federal waterway, including the permissibility of—

- (A) canoes;
  - (B) rafts and driftboats;
  - (C) motorboats;
  - (D) personal watercraft;
  - (E) airboats;
  - (F) amphibious aircraft;
  - (G) hovercraft;
  - (H) oversnow vehicles and other motorized vehicles on frozen bodies of water; and
  - (I) oceangoing ships; and
- (7) citations documenting the source of the restrictions.

(b) **FEDERAL WATERWAY ACCESS AND NAVIGATION INFORMATION.**—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 access and navigation information—

(1)(A) the location of boat ramps, portages, and fishing access sites under the authority of the Federal land or water management agency; and

(B) the identification of the dates on which the facilities and sites identified under subparagraph (A) are open or closed, as applicable; and

(2) bathymetric information and depth charts, as feasible.

(c) **FEDERAL FISHING 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 geographic information system data that describes, with respect to Federal fishing restrictions—

(1) the location and geographic boundaries of Federal fishing restrictions on recreational and commercial fishing, including—

- (A) full or partial closures;
- (B) no-take zones; and
- (C) Federal fishing restrictions within or surrounding marine protected areas;

(2) Federal fishing restrictions enacted pursuant to section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)); and

(3) Federal requirements with respect to catch and release.

(d) **PUBLIC COMMENT.**—The Secretaries shall develop a process to allow members of the public to submit questions or comments regarding the information described in subsections (a) and (b).

(e) **UPDATES.**—The Secretaries, to the maximum extent practicable, shall update—

(1) the data described in subsections (a) and (b) not less frequently than 2 times per year; and

(2) the data described in subsection (c) in real time as changes go into effect.

(f) **EXCLUSION.**—This section shall not apply to irrigation canals and flowage easements.

(g) **DISCLOSURE.**—Any geographic information system data made publicly available

under this section shall not disclose information regarding the nature, location, character, or ownership of historic, paleontological, or archaeological resources, consistent with applicable law.

#### **SEC. 5. COOPERATION AND COORDINATION.**

(a) **COMMUNITY PARTNERS AND THIRD-PARTY PROVIDERS.**—For purposes of carrying out this Act, the Secretaries may—

(1) coordinate and partner with non-Federal agencies and private sector and non-profit partners, including—

- (A) State, territorial, and District of Columbia natural resource agencies;
- (B) Tribal natural resource agencies;
- (C) technology companies;
- (D) geospatial data companies; and
- (E) experts in data science, analytics, and operations research; and

(2) enter into an agreement with a third party to carry out any provision of this Act.

(b) **UNITED STATES GEOLOGICAL SURVEY.**—The Secretaries may work with the Director of the United States Geological Survey to collect, aggregate, digitize, standardize, and publish data on behalf of the Secretaries to meet the requirements of this Act.

(c) **REQUIREMENT.**—With respect to data developed and distributed under this Act, the Secretaries shall include a notice that any geospatial data are subject to applicable Federal, State, and Tribal regulations.

#### **SEC. 6. REPORTS.**

Not later than 1 year after the date of enactment of this Act and annually thereafter through March 30, 2033, the Secretaries shall submit a report that describes the progress made by the Secretaries with respect to meeting the requirements of this Act to—

- (1) the Committee on Energy and Natural Resources of the Senate;
- (2) the Committee on Agriculture, Nutrition, and Forestry of the Senate;
- (3) the Committee on Natural Resources of the House of Representatives;
- (4) the Committee on Energy and Commerce of the House of Representatives; and
- (5) the Committee on Agriculture of the House of Representatives.

#### **SEC. 7. EFFECT.**

Nothing in this Act—

- (1) modifies or alters the definition of the term “navigable waters” under Federal law;
- (2) affects the jurisdiction or authority of State or Federal agencies to regulate navigable waters;
- (3) modifies or alters the authority or jurisdiction of Federal or State agencies to manage fisheries; or
- (4) authorizes or is intended to result in the closing of or restriction of access to waters open to hunting, fishing, or other forms of outdoor recreation as of 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. 6127, 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. 6127, the Modernizing Access to Our Public Waters Act, or MAPWaters Act, sponsored by the gentleman from Utah (Mr. MOORE).

This bill seeks to improve recreational access for our country’s boaters and anglers by requiring agencies to digitize maps of Federal waterways and information related to the regulations and restrictions to accessing those waterways. The bill then calls upon Federal land management agencies to publish this information online and work with the private sector to make this information easily available to the public.

This bill is necessary because access to information related to regulations and restrictions to Federal waterways can often be hard to come by. The Natural Resources Committee heard testimony about a specific example of an unfortunate situation that happened at Yellowstone National Park. A group of backpackers was hiking to a remote lake in the park where the group planned to fish. Upon arriving at the lake, they discovered that half the lake was off-limits to fishing because of nesting swans. It just so happens that the half of the lake that was closed to fishing was the part of the lake they were permitted to fish.

This is unacceptable. Passing this bill would prevent incidents like this by ensuring this information is easily available to the public.

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

Ms. KAMLAGER-DOVE. Mr. Speaker, the MAPWaters Act would improve the standardization and public access to information about Federal waterway restrictions, Federal waterway access and navigation, and Federal fishing restrictions.

By standardizing and digitizing this information, this bill would give Americans the information and confidence to engage in recreation without searching for and deciphering information across numerous agency websites.

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

Mr. WESTERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MOORE), the lead sponsor of the bill.

Mr. MOORE of Utah. Mr. Speaker, I rise today in support of my bill, the Modernizing Access to Our Public Waters Act, or MAPWaters Act, which passed the Natural Resources Committee unanimously last month.

The legislation builds upon the success of my MAPLand Act, enacted in 2022, and the MAP Army Corps language included in this year’s Water Resources Development Act to ensure Americans can quickly see the public resources around them and spend more time recreating on the water that they love.

The MAPWaters Act will improve the standardization, consolidation, and availability of information on the recreational opportunities for Federal waterways, allowing recreationists in Utah and around the country to have the most up-to-date information on what is available to them.

In addition to providing chances for families to experience the outdoors and instill a love of nature in new generations, recreational boating and fishing are major drivers of Utah's economy, contributing over \$536 million in 2023.

As our love for the outdoors continues to grow, accessing these public treasures should be as easy as possible.

Mr. Speaker, I thank the gentleman from California (Mr. PANETTA), the gentleman from Idaho (Mr. FULCHER), and the gentlewoman from Michigan (Mrs. DINGELL), as well as our Senate companions, Senators BARRASSO and KING, for partnering with me on this effort.

Mr. Speaker, I urge my colleagues to support H.R. 6127.

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, I again thank the gentleman from Utah (Mr. MOORE) for his work on this bill and his work as a Member of this body to increase recreational access to our public lands.

Mr. Speaker, I urge my colleagues to support the bill, 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. 6127, 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.

#### LUMBEE FAIRNESS ACT

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1101) to amend the Lumbee Act of 1956, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1101

*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 "Lumbee Fairness Act".

#### SEC. 2. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking "That the Indians" and inserting the following:

#### "SEC. 3. DESIGNATION OF LUMBEE INDIANS.

"The Indians—";

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

#### "SEC. 1. FINDINGS.

"Congress finds that—";

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking "Whereas" each place it appears;

(D) by striking "and" after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking "∴ Now, therefore," and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

#### "SEC. 2. DEFINITIONS.

"In this Act:

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

"(2) TRIBE.—The term 'Tribe' means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina."; and

(7) by adding at the end the following:

#### "SEC. 4. FEDERAL RECOGNITION.

"(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

"(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

"(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

#### "SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.

"(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

"(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

"(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

"(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

"(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

"(d) TRIBAL ROLL.—

"(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

"(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

"(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

"(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

#### "SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

"(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).

#### "SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.

"(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

"(1) all criminal offenses that are committed; and

"(2) all civil actions that arise.

"(b) TRANSFER OF JURISDICTION.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

"(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

"(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919)."

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. 1101, 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, when we talk about Tribal recognition bills, it often comes with a lot of passion. There are people who support the bills and people who oppose the bills, and it is hard to get consensus on these Tribal recognition bills.

As we consider this bill today, I just want to lay out the facts of what is at stake here in this particular Tribal recognition bill.

H.R. 1101 would extend Federal recognition to the Lumbee Tribe of North Carolina and remove a statutory bar that has impacted the Tribe since 1956.