

Reaction to Tower's co-sponsorship was swift. First, it was rare, if at all, for any out of state senator to co-sponsor another state's bill. And, it was more shocking to some that John Tower, conservative Republican, powerful chairman of Senate Armed Services, would endorse an environmental bill: Tower with a "zero rating from the pro-conservation voters" supported Bumpers with 77% rating from the same group. An aide to Bumpers declared his reaction as "delighted . . . (but) it sure is strange."

The Arkansas Gazette described the endorsement in an editorial dated March 6, 1984, with the opening line: "Amazing yes, but true." The Gazette opinion argued that Tower's co-sponsorship of S. 2125 "evidences more support for conservation in Arkansas than Anthony, Alexander and Hammer-schmidt." The Pine Bluff Commercial Appeal in an editorial called "Tower of Strength" demonstrated powerful support for the State's tourism resources by saying, "Let's not skimp when it comes to saving something so valuable—and so invaluable."

On March 8, 1984, Senator Bumpers wrote Don Hamilton enclosing a copy of Senator Tower's statement of support saying, "I'm sure you had something to do with his decision." Tower followed up his co-sponsorship by submitting a statement for the record at the Bumpers hearings in Washington on April 6, 1984. In his statement, Tower quoted from conservationist and Republican President Theodore Roosevelt. I had recently been at Theodore Roosevelt's home, Sagamore Hill on Long Island, seen the quote and recommended to Senator Tower for inclusion:

The civilized people of today look back with horror at their medieval ancestors who wantonly destroyed great works of art, or sat slothfully by while they were being destroyed. We have passed that stage. We treasure pictures and sculptures. But we are, as a whole, still in that low stale of civilization where we do not understand that it is also vandalism wantonly to destroy or to permit the destruction of what is beautiful in nature, whether it be a cliff, a forest, or a species mammal or bird.

It should be noted that in May 1984, Senator Tower also co-sponsored with Senator Lloyd Bentsen (D-TX) a bill to block clear cutting and development in 34,300 acres of East Texas. Politically, Tower was up for reelection in 1984 and he desired to broaden his legislative record beyond his internationally recognized expertise in military and foreign relations matters. Thus, the Arkansas wilderness bill and the Texas anti-clear cut measure both fit neatly in his legislative diversity plan. In a 1986 law school paper, distinguished Little Rock attorney, Scott Trotter, postulated that Tower was recruited as a co-sponsor "in anticipation of opposition from several oil companies."

And, while several oil companies in fact opposed the legislation, there was no such grand plan as considered by Mr. Trotter. The lead component in this legislative pact was simply the bond of friendship and belief in the cause. In the end, opposition from last minute concerns related to paper, oil and gas and air quality issues were all turned away and the U.S. Senate passed S. 2125 on August 9, 1984. Following House passage, President Reagan signed the bill into law on October 19, 1984 (PL 98-508).

I'll conclude with this photo taken on May 7, 1984, of Senator Tower sitting in his office in the Russell Senate Office Building reviewing Bill Coleman and Susan Morrison's beautifully illustrated volume, *Arkansas Wilderness*. I dedicate these remarks to the memory of my friend and mentor, John Tower. He was killed tragically in a plane crash with his daughter Marian in April, 1991. He was 65

and she was 35. Our country has had few public servants possessing his patriotism, intellect and commitment to the Constitution. And, it was just like him to disagree vigorously with Senator Bumpers on arms control, but link arm-in-arm and work for the common good of their constituents and preserve spaces of solitude for generations to come.

Ms. HOYLE of Oregon. Mr. Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I have no further requests for time. I would like to, once again, thank my colleague from Arkansas, especially Representative HILL, for his tireless efforts on this piece of legislation and for the diligence in the process that he labored through to get to this point today. I appreciate him bringing forth this legislation.

Mr. Speaker, I urge the adoption of 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. 1612.

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.

CONVEYANCE FOR AQUIFER RECHARGE PURPOSES

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 331) to amend the Aquifer Recharge Flexibility Act to clarify a provision relating to conveyances for aquifer recharge purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 331

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

SECTION 1. CONVEYANCE FOR AQUIFER RECHARGE PURPOSES.

(a) *IN GENERAL.*—Subsection (c)(3) of the Aquifer Recharge Flexibility Act (43 U.S.C. 390g-9) is amended—

(1) by striking "The holder" and inserting the following:

"(A) *IN GENERAL.*—The holder";

(2) in subparagraph (A) (as so designated), by striking "may transport water for aquifer recharge purposes without requiring additional authorization from the Secretary where the use does not expand or modify the operation" and inserting "may, acting for the holder or on behalf of a State, political subdivision of a State, Indian Tribe, or public entity and subject to subparagraphs (B) and (C), use the existing right-of-way, easement, permit, or other authorization for the purpose of aquifer recharge and the transport and use of water rights for aquifer recharge without requiring additional authorization from the Secretary, which use shall not be considered an expansion, modification, or substantial deviation"; and

(3) by adding at the end the following:

"(B) *NOTICE REQUIRED.*—

"(i) *IN GENERAL.*—Not less than 30 days before using an existing right-of-way, easement, permit, or other authorization for the purpose of

aquifer recharge under subparagraph (A), the holder of the right-of-way, easement, permit, or other authorization shall submit to the Bureau of Land Management notice of the intended use, in accordance with clause (ii).

"(ii) *REQUIREMENTS.*—A notice submitted under clause (i) shall—

"(I) identify the State, political subdivision of the State, Indian Tribe, or public entity intending to use the existing right-of-way, easement, permit, or other authorization for the purpose of aquifer recharge;

"(II) identify the existing right-of-way, easement, permit, other authorization, or recognized authorized use for ditches and canals constructed on public land before or on October 21, 1976, under the authority of sections 2339 and 2340 of the Revised Statutes (43 U.S.C. 661) intended to be used;

"(III) provide details on the intended use and scope of use for the purpose of aquifer recharge of the existing right-of-way, easement, permit, or other authorization; and

"(IV) provide a copy of the agreement between the State, political subdivision of the State, Indian Tribe, or public entity and the holder of the right-of-way, easement, permit, or other authorization to use the existing right-of-way, easement, permit, or other authorization for the purpose of aquifer recharge."

(b) *EFFECT.*—Subsection (c)(4) of the Aquifer Recharge Flexibility Act (43 U.S.C. 390g-9) is amended—

(1) by striking "Act creates" and inserting "section—

"(A) creates";

(2) in subparagraph (A) (as so designated), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end of the following:

"(B) waives the obligation of the holder of a right-of-way, easement, permit, or other authorization described in paragraph (3)(A) to comply with all applicable—

"(i) Federal laws; and

"(ii) policies of the Bureau; or

"(C) provides authority to construct, modify, or expand any existing infrastructure covered under subsection (c)(3)."

(c) *TECHNICAL AMENDMENTS.*—The Aquifer Recharge Flexibility Act (43 U.S.C. 390g-9) is amended in each of subsections (a) and (c)(5) by striking "Act" each place it appears and inserting "section".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. WESTERMAN) and the gentlewoman from Oregon (Ms. HOYLE) 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 be given 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 331, 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. 331, sponsored by Congressman FULCHER. In 2020, Congress passed the Aquifer Recharge Flexibility Act. The intent of that law was simple. It allowed existing irrigation canals to be used for conveying aquifer recharge water without requiring additional authorization from the Federal Government.

Unfortunately, the implementation of this law has been bogged down by bureaucratic red tape. Despite the plain wording of the law, the Bureau of Land Management has asserted that the law does not apply to third parties, only to the right-of-way holders of record.

As such, H.R. 331 amends the Aquifer Recharge Flexibility Act to further clarify that an existing right-of-way, easement, permit, or other authorization can be used to recharge aquifers on behalf of State, Tribal, and local governments, without getting additional authorization or paying additional rents.

The aquifer recharge and storage are already complicated matters that depend on a variety of natural characteristics, including soil type and underlying geology, which influence water retention and the ability to recover stored water. There is no need for the Federal Government to add further complexity to this important work.

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

Ms. HOYLE of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 331 would amend the Aquifer Recharge Flexibility Act to allow third parties to utilize an existing right-of-way, easement, permit, or other authorization for aquifer recharge without further authorization from the Secretary of the Interior.

Underground aquifers play a key role in sustaining water supplies for groundwater-dependent irrigation, municipal water use, and ecosystems. This is especially important in areas experiencing drought and constrained surface supplies.

This bill will support aquifer recharge projects, in turn, strengthening water security.

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

Mr. WESTERMAN. Mr. Speaker, out West, the development of an aquifer recharge program generally includes using existing irrigation canals and ditches to seep and percolate water into the aquifer. Much of this infrastructure crosses land owned by the Bureau of Land Management, requiring additional authorization for aquifer recharge activities, even when conducted on behalf of public entities. Cutting red tape for such activities is simply common sense.

Mr. Speaker, I urge my colleagues to support this 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. 331, 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.

COMMUNITY RECLAMATION PARTNERSHIPS ACT OF 2025

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 167) to amend the Surface Mining Control and Reclamation Act of 1977 to authorize partnerships between States and nongovernmental entities for the purpose of reclaiming and restoring land and water resources adversely affected by coal mining activities before August 3, 1977, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 167

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 "Community Reclamation Partnerships Act of 2025".

SEC. 2. REFERENCE.

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to a provision, the reference shall be considered to be made to a provision of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).

SEC. 3. STATE MEMORANDA OF UNDERSTANDING FOR CERTAIN REMEDIATION.

Section 405 (30 U.S.C. 1235) is amended by inserting after subsection (l) the following:

"(m) STATE MEMORANDA OF UNDERSTANDING FOR REMEDIATION OF MINE DRAINAGE.—

"(1) IN GENERAL.—A State with a State program approved under subsection (d) may enter into a memorandum of understanding with relevant Federal or State agencies (or both) to remediate mine drainage on abandoned mine land and water impacted by abandoned mines within the State. The memorandum may be updated as necessary and resubmitted for approval under this subsection.

"(2) MEMORANDA REQUIREMENTS.—Such memorandum shall establish a strategy satisfactory to the State and Federal agencies that are parties to the memorandum, to address water pollution resulting from mine drainage at sites eligible for reclamation and mine drainage abatement expenditures under section 404, including specific procedures for—

"(A) ensuring that activities carried out to address mine drainage will result in improved water quality;

"(B) monitoring, sampling, and the reporting of collected information as necessary to achieve the condition required under subparagraph (A);

"(C) operation and maintenance of treatment systems as necessary to achieve the condition required under subparagraph (A); and

"(D) other purposes, as considered necessary by the State or Federal agencies, to achieve the condition required under subparagraph (A).

"(3) PUBLIC REVIEW AND COMMENT.—

"(A) IN GENERAL.—Before submitting a memorandum to the Secretary and the Administrator for approval, a State shall—

"(i) invite interested members of the public to comment on the memorandum; and

"(ii) hold at least one public meeting concerning the memorandum in a location or locations reasonably accessible to persons who may be affected by implementation of the memorandum.

"(B) NOTICE OF MEETING.—The State shall publish notice of each meeting not less than

15 days before the date of the meeting, in local newspapers of general circulation, on the Internet, and by any other means considered necessary or desirable by the Secretary and the Administrator.

"(C) RESPONSE TO PUBLIC COMMENT.—The memorandum shall include responses to substantive concerns raised by the public in comments and during public meetings if received within 30 days of such meetings and opportunity to comment.

"(4) SUBMISSION AND APPROVAL.—The State shall submit the memorandum to the Secretary and the Administrator of the Environmental Protection Agency for approval. The Secretary and the Administrator shall approve or disapprove the memorandum within 120 days after the date of its submission if the Secretary and Administrator find that the memorandum will facilitate additional activities under the State Reclamation Plan under subsection (e) that improve water quality.

"(5) TREATMENT AS PART OF STATE PLAN.—A memorandum of a State that is approved by the Secretary and the Administrator under this subsection shall be considered part of the approved abandoned mine reclamation plan of the State.

"(n) COMMUNITY RECLAIMER PARTNERSHIPS.—

"(1) PROJECT APPROVAL.—Within 120 days after receiving such a submission, the Secretary shall approve a Community Reclaimer project to remediate abandoned mine lands if the Secretary finds that—

"(A) the proposed project will be conducted by a Community Reclaimer as defined in this subsection or approved subcontractors of the Community Reclaimer;

"(B) for any proposed project that remediates mine drainage, the proposed project is consistent with an approved State memorandum of understanding under subsection (m);

"(C) the proposed project will be conducted on a site or sites inventoried under section 403(c);

"(D) the proposed project meets all submission criteria under paragraph (2);

"(E) the relevant State has entered into an agreement with the Community Reclaimer under which the State shall assume all responsibility with respect to the project for any costs or damages resulting from any action or inaction on the part of the Community Reclaimer in carrying out the project, except for costs or damages resulting from gross negligence or intentional misconduct by the Community Reclaimer, on behalf of—

"(i) the Community Reclaimer; and

"(ii) the owner of the proposed project site, if such Community Reclaimer or owner, respectively, did not participate in any way in the creation of site conditions at the proposed project site or activities that caused any lands or waters to become eligible for reclamation or drainage abatement expenditures under section 404;

"(F) the State has the necessary legal authority to conduct the project and will obtain all legally required authorizations, permits, licenses, and other approvals to ensure completion of the project;

"(G) the State has sufficient financial resources to ensure completion of the project, including any necessary operation and maintenance costs (including costs associated with emergency actions covered by a contingency plan under paragraph (2)(K)); and

"(H) the proposed project is not in a category of projects that would require a permit under title V.

"(2) PROJECT SUBMISSION.—The State shall submit a request for approval to the Secretary that shall include—