

The ROD calls for higher flows at the dam to combat the presence of predatory smallmouth bass which threaten the federally protected humpback chub. These higher flows bypass hydro-power generators in order to cool the river temperature below the dam in an attempt to disrupt smallmouth bass downstream.

While this ROD was well-intentioned, it comes at a very serious cost to communities and power customers. Due to the bypass requirements, the lost hydropower generation must be replaced with power purchased on the open market.

WAPA makes these purchases from the Upper Colorado River Basin Fund which is funded by power revenues or, in other words, by the customers. WAPA's preliminary estimate of energy replacement is about \$20 million more than it would have been without the bypass requirements. Going forward, it projects the impact on customers to be even significantly more.

The American people are fed up with these heavyhanded decisions by the Federal Government that makes it increasingly difficult to get by in this country, particularly if you are trying to raise a family. Water is the interior West's most important resource.

For over 60 years, Glen Canyon Dam has been producing hydroelectric power, providing reliable, flexible, low-cost, emission-free baseload energy across the entire region. That is why this bill is important.

My bill requires the Bureau of Reclamation to acknowledge the effect of the decision through a memorandum of understanding that measures the economic, environmental, and reliability impacts of the action. I am grateful that this important legislation is being considered today.

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, again, H.R. 1001 would bring WAPA, the Bureau of Reclamation, and local stakeholders together to produce an action plan to address the effects of the bypass flows on the Basin Fund, as well as the impacts of diminished hydropower generation at Glen Canyon Dam on grid reliability.

The plan will also require the Federal agencies to identify the impacts of these actions on any species listed as threatened or endangered under the Endangered Species Act.

I again thank Representative HAGEMAN for tackling these important issues.

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. 1001.

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.

#### EXPEDITED APPEALS REVIEW ACT

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 677) to establish a process to expedite the review of appeals of certain decisions by the Department of the Interior, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 677

*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 "Expedited Appeals Review Act" or the "EARA".*

#### SEC. 2. EXPEDITED REVIEWS.

(a) *REQUEST FOR EXPEDITED REVIEW.*—A party that files an appeal of a Department of the Interior decision described under section 4.1(b)(2) of title 43, Code of Federal Regulations (or any successor regulations), with the Board of Land Appeals may submit to the Board of Land Appeals written notice of such party's intent to seek expedited review of the appeal. If a party submits such written notice, the Board of Land Appeals shall issue a final decision on the appeal by not later than the date that is 6 months after the date on which such written notice is received, except such deadline may not be earlier than the date that is 18 months after the date on which the appeal was initially filed with the Board of Land Appeals.

(b) *NO FINAL DECISION.*—If the Board of Land Appeals does not issue a final decision on an appeal by the deadline described in subsection (a)—

(1) *the Department of the Interior decision is deemed to be a final agency action for purposes of section 704 of title 5, United States Code; and*

(2) *notwithstanding section 706 of title 5, United States Code, judicial review of such decision shall be de novo.*

(c) *APPLICABILITY.*—This section shall apply to any appeal described in subsection (a) that—

(1) *is pending before the Board of Land Appeals as of the date of enactment of this Act; or*

(2) *is filed with the Board of Land Appeals after the date of enactment of this Act.*

(d) *CONFLICT.*—In the event of a conflict between the deadline described in subsection (a) and a deadline under section 115(h) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1724(h)) or section 525(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1275(b)), the deadline described in subsection (a) shall control.

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 may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 677, as amended, 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.

I rise today in support of H.R. 677, the Expedited Appeals Review Act, introduced by Representative HAGEMAN. This bill addresses critical flaws currently plaguing the review process of the Interior Board of Land Appeals, or IBLA.

The IBLA functions as an appellate review body within the Department of the Interior. It is tasked with resolving the many disputes that arise in connection with the public lands and natural resources under the Department's jurisdiction.

With over 600 appeals pending before the IBLA, however, many cases go undecided and are simply left to expire. This effectively results in automatic denials even though no substantive decisions have been rendered.

Thankfully, H.R. 677 offers a needed off-ramp for appellants that the IBLA has left in limbo. Starting 1 year after filing the appeal, an appellant may submit a request that requires the IBLA to decide the case within 6 months.

If the IBLA fails to meet the new deadline, the case automatically becomes eligible for de novo judicial review outside of the Department. This solution will reduce the existing backlog while ensuring stakeholders receive their day in court.

Mr. Speaker, I urge all my colleagues to join me in support of H.R. 677, 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, I thank Representative HAGEMAN for drawing attention to the issues with the Interior Board of Land Appeals.

The IBLA resolves disputes related to public lands and natural resources under the Department of the Interior. However, the IBLA can take too long to decide these cases, leaving people waiting for years for a decision.

For example, at the end of fiscal year 2023, the IBLA had cases on their docket from fiscal year 2017. The Expedited Appeals Review Act would attempt to address this problem by creating an optional process for appellants to get expedited review from the IBLA.

Under this bill, if the IBLA does not make a decision by the expedited review deadline, the appellant can take the case directly to district court. The court would start the case de novo, compiling the facts of the case without deference to the original agency's decisionmaking.

While I agree with Representative HAGEMAN that the IBLA timelines are a problem, I do have some concerns that the proposed solution doesn't get to the root of the problem. The underlying cause behind the IBLA's delays is a lack of capacity and resources.

The Board has stated it does not have the resources needed to resolve every appeal filed every fiscal year. Instead

of setting more deadlines that we know the IBLA can't meet, we should be appropriately staffing our agencies and review boards across the Federal Government.

Additionally, I am concerned this bill will create a fast-tracked review procedure that advantages wealthier appellants. Taking the case to district court is time- and resource-intensive, so only the wealthiest appellants are likely to use the expedited review process.

By making the IBLA focus its limited resources on expedited appeals, anyone without the money to take their case to district court may have to wait even longer.

I hope my Republican colleagues will work with us on providing the IBLA with the resources that would address the underlying problem here while also having an expedited review process.

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

Mr. WESTERMAN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Wyoming (Ms. HAGEMAN), the lead sponsor of the bill.

Ms. HAGEMAN. Mr. Speaker, I rise today in favor of my bill, H.R. 677, the Expedited Appeals Review Act, or EARA. This bill addresses the backlog of appeals before the Interior Board of Land Appeals, or IBLA.

The IBLA is an appellant review board within the Department of the Interior, and it is tasked with resolving disputes involving public lands and natural resources under the Department's jurisdiction. This includes appeals involving the Bureau of Land Management, Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, Office of Natural Resources Revenue, and Office of Surface Mining Reclamation and Enforcement.

It considers appeals dealing with grazing, mining, energy development, wildfire management, timber harvesting, trespass, and more.

The IBLA's stated mission is: "to provide an impartial forum within the Department of the Interior for the fair resolution of disputes involving public lands and natural resources under the Department's jurisdiction."

There are, however, longstanding inefficiencies in the appeals process. When combined with the high volume of cases, it has resulted in a backlog of over 650 pending appeals dating all the way back to 2014.

The IBLA receives on average 290 appeals per fiscal year. Of those cases that are not resolved on jurisdictional or procedural grounds, only 2 percent are decided in favor of the appellant and against the agency.

As instituted, the IBLA is not only falling short of its stated mission for impartiality, but creating further burdens through its extensive backlog.

The EARA creates an alternative path for expedited review, allowing stakeholders to request an accelerated decision of their appeals within 6 months of such a request. Failure to

meet this deadline then makes the decision immediately eligible for de novo judicial review outside of the Department.

This bill will alleviate the backlog in the IBLA, put the appealing entities on a level playing field with the Department and promote efficiency.

I am proud that this bill passed out of committee by unanimous consent, and I urge all of my colleagues to support this bill.

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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, this legislation will provide a more efficient and predictable form of recourse for those facing extended delays with their IBLA appeals.

Mr. Speaker, I commend my colleague from Wyoming (Ms. HAGEMAN) for her work on this important subject. I urge all of my colleagues to join me in supporting H.R. 677, 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. 677, 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.

#### STRENGTHENING AMERICA'S TURNING POINT ACT

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1550) to redesignate Saratoga National Historical Park as Saratoga National Battlefield Park.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1550

*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 "Strengthening America's Turning Point Act".

#### SEC. 2. SARATOGA NATIONAL BATTLEFIELD PARK.

(a) REDESIGNATION.—Saratoga National Historical Park shall hereafter be known and designated as "Saratoga National Battlefield Park".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to Saratoga National Historical Park shall be deemed to be a reference to Saratoga National Battlefield Park.

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 Mem-

bers may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1550, 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 Representative STEFANIK's bill, H.R. 1550, which will redesignate the Saratoga National Historical Park located in her district as the Saratoga National Battlefield Park.

Saratoga County, New York, is the fastest growing county in New York State and features a robust economy and world-class tourist destinations for families and history buffs alike. However, this prosperous community in upstate New York would not exist if not for a series of legendary events that took place nearly 250 years ago.

In September 1777, General Horatio Gates led Continental Army troops against the British empire in present-day Saratoga County. In the ensuing Battles of Saratoga, American colonists forged a turning point in the Revolutionary War by routing the British invasion force.

Today, this 3,400-acre site is considered a unit of the National Park System. There, visitors can explore trails and experience the historic battlefield, which includes landmarks, fortifications, and other important structures.

Representative STEFANIK's legislation would redesignate this hallowed site as the Saratoga National Battlefield Park, thereby recognizing its significance as a historic battlefield and highlighting the sacrifices made by the soldiers who fought there.

While this area was originally named Saratoga Battlefield Park by the State of New York, the battlefield nomenclature was dropped in 1938 when the area became part of the National Park System. With the battles' upcoming 250th anniversary, however, residents of Saratoga County and New York State have called for renaming the park to clarify its place in the heroic struggle for American independence.

Mr. Speaker, I thank Representative STEFANIK for her leadership on this issue. She is a longstanding advocate for honoring America's history and protecting hallowed battlefields. Her leadership was crucial in ensuring the passage of the bipartisan American Battlefield Protection Program Enhancement Act, which was signed into law earlier this year.

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

Ms. HOYLE of Oregon. Mr. Speaker, H.R. 1550 redesignates Saratoga National Historical Park as the Saratoga National Battlefield Park.

The site in Stillwater, New York, marks the location of a critical pair of battles known as the turning point of the American Revolutionary War.