

**Statement for the Record
Department of the Interior
Before the United States House of Representatives
Committee on Natural Resources
Subcommittee on Water, Wildlife, and Fisheries
Legislative Hearing on**

H.R. 3276, Local Communities and Bird Habitat Stewardship Act of 2025; H.R. 6021, Archie Cavanaugh Migratory Bird Treaty Amendment Act; H.R. 6568, Lower Yellowstone River Native Fish Conservation Act; and H.R. 7159, Protecting Local Zoos Act of 2026

February 4, 2026

Thank you for the opportunity to provide this statement for the record on the following legislation: H.R. 3276, Local Communities and Bird Habitat Stewardship Act of 2025; H.R. 6021, Archie Cavanaugh Migratory Bird Treaty Amendment Act; H.R. 6568, Lower Yellowstone River Native Fish Conservation Act; and H.R. 7159, Protecting Local Zoos Act of 2026.

H.R. 3276, Local Communities and Bird Habitat Stewardship Act of 2025

H.R. 3276 directs the U.S. Fish and Wildlife Service (Service) to establish an Urban Bird Treaty Program to provide technical and financial assistance to states, tribes, local governments, and non-governmental organizations to protect, restore, and enhance urban habitats for birds. The program would also support work to reduce urban hazards to birds, monitor urban bird habitats, and engage and educate communities about conserving birds in urban habitats. The bill directs the Service to partner with the National Fish and Wildlife Foundation (NFWF) to establish a competitive grant program to support these objectives, and the legislation authorizes \$1 million annually to support this program from Fiscal Year 2026 through Fiscal Year 2032.

H.R. 3276 would codify a program similar to the Service's existing work under the Urban Conservation Treaty for Migratory Birds (Urban Bird Treaty) program. Through this program, the Service works with cities and other partners to voluntarily conserve migratory birds and urban habitats. Additionally, through NFWF's Five Star and Urban Waters Restoration Grant Program, the Service supports Urban Bird Treaty program projects. While the Service appreciates the goals of H.R. 3276 and supports partners working in conservation, we do not support this bill as it appears to duplicate existing programs while spending even more American tax dollars.

H.R. 6021, Archie Cavanaugh Migratory Bird Treaty Amendment Act

H.R. 6021 amends the Migratory Bird Treaty Act (MBTA) to allow for the sale, possession, purchase, shipment, and transportation of Alaska Native handicrafts containing nonedible migratory bird parts, provided the bird was not harvested in a wasteful or illegal manner. The bill directs the Secretary of State to work with the Secretary of the Interior to engage in bilateral procedures with countries that are parties to the four treaties that underpin the MBTA to clarify the changes outlined in H.R. 6021 within 180 days. The Secretary of the Interior is also directed to amend the relevant MBTA regulations within 180 days.

The MBTA implements four international migratory bird treaties that the U.S. entered into with Canada, Mexico, Japan, and Russia. Current regulations to implement the MBTA allow for subsistence harvest of migratory birds by Alaska Natives only for human consumption. Nonedible parts of certain bird species can be used for Alaska Native handicrafts, but only if the bird was harvested primarily for its use as food. In accordance with the four treaties, handicrafts containing those nonedible bird parts can only be sold within the U.S. and must be accompanied with a certification that the handicraft complies with federal regulations. The Service supports continuing to harvest migratory birds strategically and supports the sale of handicrafts made from the natural resources throughout America. Should the committee advance this legislation, we would look forward to working with the sponsor to ensure H.R. 7159 meets its intended goals and those of the Administration.

H.R. 6568, Lower Yellowstone River Native Fish Conservation Act

The Bureau of Reclamation's (Reclamation) Lower Yellowstone Project (LYP) is 58,000-acre irrigation project located in eastern Montana and western North Dakota. The project is operated and maintained by the Lower Yellowstone Irrigation District Board of Control under contract with Reclamation. The Lower Yellowstone Project includes the Intake Diversion Dam, a screened headworks structure, 71 miles of main canal, 225 miles of laterals and 118 miles of drains, three pumping plants on the Main Canal, four supplemental pumps on the Yellowstone River and one supplemental pump on the Missouri River.

Since the early 2000s Reclamation and the U.S. Army Corps of Engineers have been working cooperatively as joint lead agencies to address threats to pallid sturgeon associated with Reclamation's LYP in consultation with the U.S. Fish and Wildlife Service. Entrainment protection was completed in 2012 with the construction of a new screened headworks structure and passage was established with the completion of the Intake Bypass Channel in 2022. The adaptive management and monitoring program (AMMP) kicked off in the spring of 2022, which includes monitoring of established biological and hydraulic criteria. Monitoring efforts begin May 1st and continue until September 30th each year. Reclamation has agreed to pay for Operations, Maintenance & Replacement (OM&R) for the Intake Bypass Channel for the first eight years of operation during the AMMP period (2022 – 2029). This OM&R funding approach was established primarily because the Intake Bypass Channel is a novel fish passage concept and as a result there are anticipated to be several design iterations which require field refinements, including those related to erosion. It will likely take several more years of adjustments to get the channel stabilized and functioning as required. The intent of the design changes and repairs is to ensure the long-term viability of the Intake Bypass Channel and compliance with Endangered Species Act obligations. Ensuring sufficient fish passage enables migration and spawning further upstream, improves survival and supports increased recruitment of the endangered pallid sturgeon.

The Lower Yellowstone Intake Diversion Fish Passage Project was completed at federal expense, with no capital construction obligations on the irrigators, to maintain irrigation deliveries from the Yellowstone River, where ESA-listed sturgeon are present. To assure continued ability to irrigate from the Lower Yellowstone Project, the bypass feature must be operated and maintained by project beneficiaries consistent with the LYP and bypass channel authorization.

H.R. 6568 would reaffirm federal ownership and responsibility for the Lower Yellowstone Fish Bypass Channel in perpetuity. The net impact of this provision would be to shift long-term operating responsibility from the Lower Yellowstone Irrigation District to Reclamation and require Reclamation to continue to fund OM&R beyond the currently agreed to AMMP Period concluding in 2029. H.R. 6568 also prohibits transferring, delegating, or assigning any financial, operational, or maintenance responsibilities for the bypass to any non-federal entity, including the Lower Yellowstone Irrigation District. The bill ensures that Reclamation and the Service would continue to be exclusively responsible for meeting ESA requirements for the bypass channel and pallid sturgeon and that conservation efforts are coordinated with state agencies without burdening non-federal irrigation operations. Finally, the legislation authorizes \$1 million annually beginning in FY2026.

Should the committee advance H.R. 6568, we would like to work with the bill sponsor to ensure appropriate funding levels consistent with the President's budget and to address some technical concerns, including clarifying that the Intake Diversion Dam is not federally operated as the bill states. Additionally, The Department does not support a statutory requirement to continue to fund OM&R beyond the currently agreed to AMMP Period concluding in 2029.

H.R. 7159, Protecting Local Zoos Act of 2025

H.R. 7159, Protecting Local Zoos Act of 2026, would amend the captive wildlife offense provisions of the Lacey Act to exempt entities with a Class B license from the U.S. Department of Agriculture (USDA) from the prohibitions on import, export, transport, sale, receipt, acquisition, purchase, breeding, or possession of certain big cats. The bill allows these and other exempted entities to register their big cats with the Service and expands the list of individuals associated with an exempt facility or entity who are authorized to come into direct physical contact with big cats. H.R. 7159 authorizes exempted facilities to import or export big cats to and from a foreign entity that is lawfully operating in that country. Entities would still be required to comply with all applicable U.S. laws and treaties regarding wildlife trade. Additionally, the bill allows entities or individuals who previously mistakenly registered a big cat to apply with the Service to cancel their registration. Lastly, H.R. 7159 removes snow leopards and clouded leopards, as well as hybrids of either species, from the list of prohibited wildlife species.

The Service supports all Americans interested in engaging in big cat conservation, especially with private funding, and would support all Americans holding a Class A, B, or C license under the Animal Welfare Act as administered by the USDA being exempted from the Big Cat Public Safety Act. The Service supports provisions to encourage engagement in conservation of these majestic cats, and to add flexibility, provide greater clarity, and reduce regulatory burdens on affected entities. Should the committee advance this legislation, we would look forward to working with the sponsor to ensure H.R. 7159 meets its intended goals and those of the Administration.