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PEARCE, CORRELL AND MYERS NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

TO

CONSIDER THE NOMINATIONS OF DRUE PEARCE TO BE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS; JOHN RAY CORRELL TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, AND MARK D. MYERS TO BE DIRECTOR OF THE U.S. GEOLOGICAL SURVEY, DEPARTMENT OF THE INTERIOR

JULY 20, 2006



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PEARCE, CORRELL AND MYERS NOMINATIONS

THURSDAY, JULY 20, 2006

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 10:10 a.m., in room SD–366, Dirksen Senate Office Building, Hon. Pete V. Domenici, chairman, presiding.

OPENING STATEMENT OF HON. PETE V. DOMENICI, U.S. SENATOR FROM NEW MEXICO

The CHAIRMAN. The hearing will please come to order. Welcome, Senator Stevens. Welcome, everyone. Please sit down. The Committee on Energy and Natural Resources will come to order.

Nominating hearings today are for Drue Pearce to be Federal coordinator for Alaska natural gas transportation projects; John R. Correll to be Director of the Office of Surface Mining Reclamation and Enforcement in the Department of the Interior; and Mark Myers to be the director of the U.S. Geological Survey, Department of the Interior.

The committee will come to order. We are here this morning to consider the nominations that I have just mentioned.

Before we begin, I understand that our colleague Senator Stevens from Alaska—oh, I should have said "colleagues," because, Senator Murkowski, you might like to also be called a colleague—would like to speak in behalf of the nominees. Senator Stevens will lead off.

We welcome you, Mr. Chairman. Would you please begin, and then we will follow with Senator Murkowski. And if Senator Allen were to arrive, he would follow. If not, the two Senators I mentioned will be the Senators that will speak. The senior Senator from Alaska.

STATEMENT OF HON. TED STEVENS, U.S. SENATOR FROM ALASKA

Senator STEVENS. With your permission, I'll introduce both Drue Pearce and Mark Myers and go to my other committee. Is that agreeable?

The CHAIRMAN. Sounds fair. And that would make it accommodating to you, and that's fine with us.

Senator STEVENS. And I ask that my statements appear in the record in full.

The CHAIRMAN. That will be done.

[The prepared statements of Senator Stevens follow:]

PREPARED STATEMENT OF HON. TED STEVENS, U.S. SENATOR FROM ALASKA

ON NOMINEE DRUE PEARCE

It is a great pleasure to appear before this Committee and introduce Drue Pearce, the President's nominee to become the Federal Coordinator for Alaska Natural Gas Transportation Projects.

Drue and I have worked closely on issues important to Alaska since she filed for the Alaska State House in 1983. She was elected to the House in 1984 and to the State senate in 1988. During her 17 years in the State Legislature, she achieved several historic milestones. Drue became the first woman to serve two terms as Senate President—and she was only the second person, man or woman, in Alaska's history to have that honor. Drue was the first Senate President ever to adjourn a legislative session before the constitutional deadline. And she has the enviable record of having never been defeated in an election.

Even more impressive than her historic achievements is Drue's proven record of leadership. As Senate President, Drue became known for her ability to set goals and achieve them. She kept things moving on schedule and was able to bring people together to achieve consensus.

When President Bush was elected, I encouraged him to bring Drue to Washington, DC. I believed her knowledge of our state, our opportunities, and our people would be a tremendous asset for this administration. In 2001, Secretary of the Interior Gale Norton appointed Drue to the position of Senior Advisor to the Secretary for Alaska Affairs. In this capacity, Drue has exceeded even my expectations.

I believe Drue will approach her role as Federal Coordinator with the commitment and dedication that have become the hallmarks of her career public service. Her considerable experience in state and federal government make her the ideal candidate for this position.

Alaskans—and all Americans—need Drue involved in the Natural Gas Pipeline project. Moving this project forward will require the coordination of federal, state, local, and private entities. The stakes involved in this project are high—the timely completion of this project is essential if we are to keep pace with the growing demand for natural gas. Coordination of this project is a daunting task, and I trust Drue Pearce to get the job done. It is my hope the Committee—and the full Senate—will move quickly to approve her nomination.

ON NOMINEE MARK D. MYERS

I am extremely pleased President Bush has chosen to nominate Mark Myers to be Director of the U.S. Geological Survey. It is an honor to introduce him to the Committee today.

Mark is a respected member of our state's natural resource community. From 1990 through 1998, he worked as a petroleum geologist for the Alaska Department of Natural Resources' Division of Oil and Gas. He became the Director of the Division in 2001. In 2005, Mark was also named Alaska State Geologist and Director of the State Division of Geological and Geophysical Surveys. Through his work in these positions, he has cultivated a reputation for being able to build consensus. Over the course of his 22 year career in Alaska, Mark has earned the respect of scientists, engineers, elected officials, and others.

I have personally benefited from Mark's knowledge about gas hydrates. It is estimated that the permafrost beneath our state holds 590 trillion cubic feet of these hydrates. Another 32,000 trillion cubic feet lie offshore. These hydrates lie below permafrost and deep waters. When they are released, they can generate up to 180 times their volume in free gas. With the increasing demand for natural gas, these hydrates will be a valuable resource if we can figure out how to bring them to market.

Mark has worked with those in the Alaska State Legislature on this issue. He has also advised our state's congressional delegation and our colleagues in Washington. In fact, he testified before this very Committee in 2005. I think those on the Committee will agree that Mark's counsel is well-balanced and indispensable.

Mark's experience, extensive knowledge, and commitment to public service make him an excellent candidate for this position. I thank you for the opportunity to introduce him this morning, and I look forward to working with him upon his confirmation by the Senate.

Senator STEVENS. Let me introduce, first, Drue Pearce's family. Her husband, Mike Williams, is here. Her daughter, Tate Hanna

Pearce-Williams, and her father, Phil Pearce, and her stepmother, Carol Pearce.

The CHAIRMAN. Would they please stand? We thank you very much for coming. That means an awful lot to them, and we're glad that you do it in their behalf. Please sit down.

Senator STEVENS. Let me tell you, Mr. Chairman, it's a pleasure to be here with Drue Pearce. She's the President's nominee for the Federal coordinator of the Alaska natural gas transportation projects.

Now, Drue and I have worked closely together for many years. She was first elected to the State House of Alaska, the House of Representatives of Alaska, in 1864, and the State senate——

[Laughter.]

Senator STEVENS. Pardon me, 1984.

[Laughter.]

Senator STEVENS. Wow, you've been around for a long time, right? I'm reading too many things too fast. In 1984.

She was elected to the State senate in 1988 and she has served 17 years in the State senate—really, the State legislature, in total. And she was the first woman to serve two terms as the president of the Alaska State senate. And she's only the second person in the history of Alaska to have had that honor, man or woman.

Drue was really very impressive in her State legislature record. She became known for her ability to set goals and to achieve them. And when President Bush was elected, I urged him to bring Drue to Washington, DC. I believed her knowledge of our State and opportunities to our people would be—she would be a tremendous asset for the administration.

In 2001, the Secretary of the Interior, Gale Norton, appointed Drue to a position of senior advisor to the Secretary of the Interior for Alaska affairs and, in that capacity, Drue exceeded our expectations.

I believe she will approach this role of Federal coordinator with a commitment and dedication that really reflects her total career. And I'm sure this committee knows that Alaskans and all Americans need this project. We're very pleased that she's willing to take on this task. The stakes involved in this project are very high. Timely completion of this project is essential to the country and to our State.

So, I urge that you would favorably approve Drue Pearce's nomination as soon as possible.

If I may, then, Mr. Chairman, I would turn to the nomination of Mark Myers as director of the U.S. Geological Survey.

Mark's wife, Alice, is here, and their children, Justin and Nathan, are here. His parents, Ray and Ardell, are here. This is a rather extended family. So, thank you very much, Mark, for bringing them.

The CHAIRMAN. Would they please stand? We welcome you very much and thank you for coming, all of you.

[Laughter.]

The CHAIRMAN. Very good.

Now, Senator, you can proceed.

Senator STEVENS. I'll be constrained, Mr. President.

Mark is a very respected member of the resource community of Alaska. He worked as a petroleum geologist for the Department of Natural Resources Division of Oil and Gas. He became the director of that division in 2001. In 2005, he was named Alaska's State geologist and director of the State Division of Geological and Geophysical Surveys. He's developed a reputation for gathering consensus for his positions. And over the course of his 22 years in Alaska, he has earned the respect of scientists, engineers, elected officials, and others.

I personally have worked with Mark, and I know the committee is very interested in one of the main subjects that he has been working on, and that's gas hydrates.

Beneath the permafrost of our north country, we believe, are 590 trillion cubic feet of frozen gas. Another 32,000 trillion cubic feet of frozen gas is offshore. These are below the permafrost, and, as far as offshore, below deep waters. When they're released, if they can be commercialized, they will generate up to 180 times their volume in free gas. With the increasing demand for natural gas, these hydrates, I think, are one of the most valuable resources the United States has—an enormous, enormous quantity of gas in a frozen state.

Mark has worked with the State legislature on this issue. He's advised us on this issue. He's testified before Congress, perhaps even before your committee, on this issue. I'll tell you, this is one of the true challenges for science in this country. I've been trying to get more and more companies and the Federal Government to commit money to the research to determine how to commercialize—really, how to unfreeze those gas hydrates. And, as they unfreeze, as I say, they expand 180 times in their volume. This is probably—unquestionably, this is why I think he's an excellent candidate for this job, because he knows this issue well. And I look forward to working with him, and I'm sure this committee will look forward to working with him in terms of pursuing, to the maximum extent possible, the science involved in commercializing gas hydrates.

I thank you very much for your courtesy. If you have any questions for me, I'll be glad to answer them, other than to explain why I went back to my childhood of 1684.

[Laughter.]

The CHAIRMAN. We won't inquire as to your true age.

[Laughter.]

The CHAIRMAN. We'll let everybody remain in a state of flux on that. For now, we're wondering if you had anything further to say.

Senator STEVENS. Well, I have this to say. I told a crowd, last night, that I never thought I'd be older than a President of the United States and his father and every member that's retiring from Congress this year.

The CHAIRMAN. That's you.

Senator STEVENS. Thank you very much.

The CHAIRMAN. Thank you, Senator.

Now we're going to ask the junior Senator to please speak in behalf of the witnesses, and then we'll move right to the witnesses.

STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

Senator MURKOWSKI. Thank you, Mr. Chairman.

I think it's fair to say that this is a proud day for us, as Alaskans. It's not often that we have before us two nominees from the great State.

I've told this committee before—and I certainly made the comments when Governor Kempthorne was here for his confirmation as Secretary of the Interior—I remarked that in Alaska we refer to the Department of the Interior as our landlord. I know my colleagues around the table have heard me point to the No. 1 statistics so many times—we're No. 1 among the States in areas designated as wilderness, No. 1 in national park acreage, No. 1 in national wildlife acreage. We are so much at the core of what the Department of the Interior does, certainly as we look to our energy storehouse, with oil, natural gas, strategic minerals, our coal reserves. We have just barely touched the surface of what Alaska has to offer and our relationship with the Department is inextricably intertwined there.

In spite of the Interior Department's truly vast interests in Alaska, none of the heads of its bureaus or offices are from the State of Alaska. We have been, I believe, blessed for the past 5 years in having Drue Pearce serve as the senior Alaskan in the Interior Department.

Drue, I believe that you have performed magnificently in your role as the senior advisor to the Secretary of the Interior for Alaskan affairs. I'm delighted. I'm thrilled for you that you have this challenge and this opportunity in front of you with the nomination that the President has made.

I'm equally proud that the President has nominated another exceptional Alaskan, Mark Myers, to the post of the director of the U.S. Geological Survey.

I like to brag on my State, and I like to brag on the people from my State, and it's very easy to do that with the two individuals that we have today.

I also want to recognize and thank the families, the very extended families that we have here today supporting these two very qualified individuals. The sacrifices that you make and have made over the years in public service is felt by your families. I know that there have been some transitional aspects as you left your home State, or are planning on leaving Alaska to come and relocate here in Washington, DC. We greatly appreciate what you are doing, on behalf of our country, and the efforts that you are making.

I want to start just by giving a little bit of background as to Mark Myers. You know, when you look at his qualifications, his resume, everything says this is a man who has dedicated his life, his entire career in the earth-science field. He has professional certifications from the American Institute of Professional Geologists, the American Association of Petroleum Geologists, past president of the Alaska Geological Society, numerous publications in geology. I notice, Mark, in your opening comments, you went back to the University of Alaska at Fairbanks specializing—to get a Ph.D. in geology, but specializing in clastic sedimentology. I have no idea what it is, but I was so impressed, because it sounds like a lot of rocks.

[Laughter.]

Senator MURKOWSKI. And we want you to know and understand about all of the rocks.

Mr. Chairman, I won't go through the bachelor's degrees and all of the professional accolades that Mr. Myers has accumulated over the years, other than to point out that his work in the earth science field has spanned some 28 years, 12 of which have been devoted to public service. I also want to recognize your time in the Air Force Reserve.

Dr. Myers has served for 8 years as a petroleum geologist for the State of Alaska, 2 years as the director of the State's Division of Oil and Gas, heading both the Division of Oil and Gas and our State's geological surveys. He's truly earned the respect of his colleagues in the State. When I worked with Dr. Myers when I was in the State legislature, I think it's fair to say that there was no partisan aspect of what you did. You presented the science, people respected you for that, and I know that you will continue to do that in your new position here.

I noted that there was a letter from some of our Democratic colleagues in the Alaska State House of Representatives speaking on your behalf, and I would like to have that included as part of the record for Dr. Myers.

[The information previously referred to follows:]

ALASKA STATE LEGISLATURE,
Juneau, AK, June 14, 2006.

Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

TO WHOM IT CONCERNS: As Democratic leaders in the Alaska State House of Representatives, we are writing to encourage you to confirm Mr. Mark Myers' nomination as Director of the U.S. Geological Survey. As legislators, we worked closely with Mr. Myers during his tenure as Director of the Division of Oil and Gas with the State of Alaska. Even in trying times, Mr. Myers always maintained a high degree of professionalism marked by extensive knowledge, experience in his field, and a very high degree of personal integrity.

Mr. Myers simultaneously served as the Director of two divisions within the Alaska State Department of Natural Resources—the Division of Oil and Gas and the Division of Geological Surveys. This dual appointment was an unprecedented honor and attests to his abilities and skills as a geologist and leader.

Perhaps Mr. Myers' most impressive attribute is his ability to base his decisions on the merits of an issue and not let the pressures of politics affect those decisions. He is a man with strong moral fiber and conviction.

We highly recommend Mr. Myers for the position of Director of the U.S. Geological Survey. We believe he will serve his country with the same professional integrity that he showed in serving our state. Please feel free to contact us for further information.

Sincerely,

ETHAN BERKOWITZ,
Democratic Leader,
BETH KERTTULA,
Democratic Finance Committee Member.

Senator MURKOWSKI. But as we look at the qualifications, and as I've said to you numerous times, I can't think of a more qualified individual to head our USGS. I'm delighted and proud that you have agreed to step forward in response to the President's nomination.

And now, Mr. Chairman, just very briefly, as to my friend, Drue Pearce. And whereas I—where Drue and I don't go back to 1864——

[Laughter.]

Senator MURKOWSKI [continuing]. We do go back quite a ways. I think it was one of my very first jobs, when I was still—well, I was in between years in college. I think I was on that 5- or 6-year college program, and I took some time off to work in a bank, and Drue was my direct supervisor. That was a long time ago. We've both moved a little bit away from being—we weren't bank tellers, but we were pretty low—I was pretty low on that totem pole, and I appreciated the good advice and guidance of my supervisor there.

But I think it's fair to say that we're pleased, from Alaska's perspective, to have this confirmation hearing for this specific position, for the director of the Office of Pipeline coordinator. It represents a couple of things. First of all, to have an exceptional Alaskan to be before us is something, again, we're very proud of, but it's also a tangible sign that progress is being made on our Alaska natural gas project. Already this summer, we've had a memorandum of understanding amongst 15 Federal agencies, where we're working toward getting to where we need to get with this very massive project, and with today's appointment—confirmation of the Federal coordinator to start coordinating all the permitting, the regulatory process that's going to be needed to get this project off the ground, it's very important.

Drue's credentials are equally stellar. She holds a master's degree in public administration from Harvard, and a degree in business from the University of Virginia. Senator Stevens mentioned her years in the legislature. She also, when she was in the legislature, served as chairman of the National Energy Council. This was a legislative organization for ten energy-producing States, and she led delegations to Bolivia, to Mexico, talking about the oil development. So, she has very strong credentials and background in the area.

When we look to this massive project that we are working toward on Alaska's North Slope, a project the likes of which this Nation, this country, this world has not seen, a $20- to $25-billion project, we need to have somebody with the experience, the knowledge, the institutional memory, the governmental expertise who can oversee this massive project. I can't think of anyone better than Drue Pearce to lead us forward with this, and I'm delighted that she, too, has accepted the President's nomination.

I look forward to a swift confirmation for both of these fine individuals.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

[The prepared statements of Senators Allen and Lugar follow:]

PREPARED STATEMENT OF HON. GEORGE ALLEN, U.S. SENATOR FROM VIRGINIA

It is my pleasure to introduce John Correll as the President's nominee for Director of the Office of Surface Mining Reclamation and Enforcement. John brings more than 30 years of mining experience to this post, as well as significant senior leadership and management experience. John moved to Virginia four years ago with his wife Nancy to take the position of Deputy Assistant Secretary of Operations for the Mine Safety and Health Administration in the Department of Labor.

During John's tenure, MSHA highlighted education, training and compliance assistance to make sure that operators understood and were complying with our laws, rules and regulations. John also oversaw MSHA's strategic alliance program, in which the agency formed meaningful and productive relationships with key stake-

holders and mining industry groups to further common goals and objectives of improving mineworker safety and mining operations. John's experience in bringing all of these concepts to fruition will help him bring similar successes to the Office of Surface Mining.

As a mine safety and health professional, John's credentials and accomplishments are impressive. In his over twenty years in the private mining industry John held numerous positions and developed a reputation for integrity, professionalism and dedication to mine safety and health.

The President's nomination of John Correll to head the Office of Surface Mining—and John's acceptance of that challenge—represents a logical progression of his drive to serve his country and the mining community. We should be grateful that professionals like John, with the highest values of experience, expertise and personal conviction are willing to step up and accept these crucial positions in government to provide expert leadership in fulfilling and enforcing our laws and developing improvement initiatives.

John's distinguished record in mining, loss prevention and senior leadership makes him an excellent nominee for this position. I urge my colleagues to favorably consider Mr. Correll's nomination and quickly report it back to the Senate with our full support.

PREPARED STATEMENT OF RICHARD G. LUGAR, U.S. SENATOR FROM INDIANA

ON THE NOMINATION OF JOHN RAY CORRELL TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

I am pleased to have an opportunity to introduce John Ray Correll to the members of the Senate Committee on Energy and Natural Resources.

John Correll has worked for the federal government in the mining field for a number of years. In addition, John gained extensive experience working in the private sector for several coal companies. After receiving his Bachelors degree from Indiana State University, John joined the Peabody Coal Company. John continued to build on his experience by taking a position with AMAX Coal Industries. From 1991-2002, John served as the Director of Safety and Workers' Compensation for Cleveland-Cliffs, Inc. In 2002, John was appointed to serve as the Deputy Assistant Secretary for Operations at the Mine Safety and Health Administration for the U.S. Department of Labor.

John is joined by his wife, Nancy. They have two sons Jason and Terry, daughter-in-law, Tina, and two grandchildren, Alex and Max.

Mr. Chairman, I thank you for this opportunity to introduce John Ray Correll to the Committee.

The CHAIRMAN. Anything further by any Senator?

[No response.]

The CHAIRMAN. Then we're going to proceed.

I hope we can move as quickly to get you confirmed. Thanks to your relatives who came here to show their support. You don't know how much support it is for them. You probably do, but you don't know what it means to us to see such great support come, probably from distances, for them. I, personally, consider that a very positive sign, as chairman, as I consider confirming these particular people for their jobs.

The rules of the committee, applied to all nominees, require that they be sworn in, in connection with their testimony. So, would you please rise and raise your right hands?

And do you solemnly swear the testimony you are about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth, and nothing but the truth?

Ms. PEARCE. I do.

Mr. CORRELL. I do.

Mr. MYERS. I do.

The CHAIRMAN. Please be seated.

Before you begin your statements, I will ask each of you three questions. They are addressed to each nominee before this committee. This is no different than all the others.

First, will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Drue Pearce?

Ms. PEARCE. I will.

The CHAIRMAN. John?

Mr. CORRELL. I will.

The CHAIRMAN. Mark?

Mr. MYERS. I will.

The CHAIRMAN. Are you aware of any personal holdings, investments, or interests that could constitute a conflict of interest, or the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President?

First, start on this side. You, ma'am.

Ms. PEARCE. My investments, personal holdings, and other interests have been reviewed both by myself and the appropriate ethics counselors within the Federal Government. I have taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest, or appearances thereof, to my knowledge.

The CHAIRMAN. Thank you.

Are you involved with, or do you have, any assets held in blind trust? Same nominee.

Ms. PEARCE. No, sir.

The CHAIRMAN. We'll proceed back to you, John. Are you aware of any personal holdings, investments, or interests that could constitute a conflict, or create the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President?

Mr. CORRELL. Thank you, Mr. Chairman.

My investments, personal holdings, and other interests have been reviewed both by myself and the appropriate ethics counselors within the Federal Government. I have taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest, or appearances thereof, to my knowledge.

The CHAIRMAN. Are you involved with, or do you have, any assets held in blind trust?

Mr. CORRELL. No, sir.

The CHAIRMAN. Mark Myers. Are you aware of any personal holdings or investments or interests that could constitute conflict, or create any appearance of such conflict, should you be confirmed and assume the office to which you have been nominated by the President of the United States?

Mr. MYERS. My investments, personal holdings, and other interests have been reviewed both by myself and the appropriate ethics counselors within the Federal Government. I have taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest, or appearances thereof, to my knowledge.

The CHAIRMAN. Are you involved with any, or do you hold any, assets in blind trust?

Mr. MYERS. No, Mr. Chairman.

The CHAIRMAN. Now, each of you—starting with you, Drue Pearce, and moving this way, each of you may now make a brief statement. I encourage you to summarize your statement that you have presented for filing for the record so that we'll have plenty of time for questions. Starting with Ms. Pearce, will you begin with—followed by Mr. Correll, and then by Dr. Myers.

Nominee statements. Please proceed.

TESTIMONY OF DRUE PEARCE, NOMINEE TO BE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

Ms. PEARCE. Thank you, Mr. Chairman, Senator Bingaman, and members of the committee, I am honored to appear before you today as the President's nominee to serve as the first Federal coordinator for Alaska natural gas transportation projects. I am humbled to have been selected by President Bush to establish a new Federal office, and promise that, if confirmed by the Senate, I will uphold the trust placed in me with honesty, integrity, and hard work.

Senator BUNNING. Mr. Chairman?

Would you please bring your mike to—we're having—I'm having trouble hearing.

Ms. PEARCE. OK. Is that better, sir?

The CHAIRMAN. Thank you very much, Senator. We'll do that.

Ms. PEARCE. I was first elected to the Alaska State legislature in 1984. As you all know, public service is a family endeavor. I would not be able to serve my State and this great country if I didn't have the heartfelt and steadfast support of my family. I am grateful that my husband, Michael, and our daughter, Tate Hanna, are here with me today. They allowed me to uproot them from our home in Alaska 5 years ago and are a source of daily inspiration.

My family homesteaded in what was then the Indiana territory in 1808. I represent the sixth generation of Hannas raised on that same 1500-acre farm in what is now southern Illinois. My father still lives on the farm. He raises standard-bred horses.

My passion for public service is rooted in the history of my family. My personal hero, my father, was awarded a Navy Cross for his heroism at Shuri Castle on Okinawa. A first lieutenant with the 1st Marines, he was only 22. He left active duty and came home to the farm to begin a new career of elected public service at the local level. I am proud to be his daughter.

Retired Marine Colonel Phil Pearce and his wife, Carol, traveled to DC to be with me today. I've learned from this man that I have a responsibility to give back to my community and to my country. He taught me to get things done.

After I finished university and worked for a few years, I, too, sought greater adventures. But I took a slightly different and colder path, heading to Alaska in 1977. I lived in Fairbanks, went north of the Arctic Circle to Kotzebue, and eventually made Anchorage my home.

I had the extraordinary privilege of representing west Anchorage in the State House and the State senate for 17 years. I resigned my senate seat and came to DC to work on President Bush's team in 2001, and I do currently serve as the Secretary of the Interior's

senior advisor for Alaska affairs. I oversee offices in DC and in Alaska.

The National Energy Plan called for the Federal Government to expedite the construction of a pipeline to deliver natural gas to the lower 48 States. Congress recognized the importance of Alaskan natural gas resources by enacting the Alaskan Natural Gas Pipeline Act in 2004. The objective of the act is to facilitate the timely development of an Alaska pipeline. A key provision of the act creates the Office of the Federal Coordinator. If confirmed, I will be responsible for coordinating the expeditious actions of all Federal agencies with respect to licensing and construction of the pipeline.

The value of the vast resources that the U.S. Geological Survey estimates are onshore in the National Petroleum Reserve-Alaska and offshore in the Beaufort and Chukchi Seas can only be maximized if a natural-gas pipeline is built. Those resources belong to all Americans, not just Alaskans. It's important to note that this project will have far greater impacts than the initial 35-trillion-cubic-feet pipeline. It will allow an estimated 200 trillion cubic feet of technically-recoverable, undiscovered gas to come to U.S. markets for generations to come.

During my 22 years of public service, I have learned how to make positive impacts in both the legislative and the executive arenas. It is an honor to sit before you today as President Bush's nominee to be the Federal coordinator. If confirmed, I pledge that I will carry out my coordination responsibilities with dedication and integrity to expeditiously bring Alaska gas to the lower 48.

Thank you, Mr. Chairman and members of the committee, for your consideration of the President's nomination. I ask for your consent, and I would be pleased to answer any questions.

Thank you.

The CHAIRMAN. Thank you very much. We'll have some questions of you shortly.

Mr. Correll.

TESTIMONY OF JOHN RAY CORRELL, NOMINEE TO BE DIRECTOR, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, DEPARTMENT OF THE INTERIOR

Mr. CORRELL. Thank you, Mr. Chairman.

Distinguished members of the committee, it's a great honor for me to be invited here today to testify before you. I'm very grateful for the confidence and trust placed in me by President Bush by nominating me as the director of the Office of Surface Mining Enforcement and Reclamation. I also thank Secretary Kempthorne for his support. And, if confirmed, I look forward to his leadership and guidance.

Coal has played a pivotal role in the history of our great Nation, and will continue to do so into the foreseeable future. Clean coal technology is an essential part of the Energy Policy Act of 2005, as envisioned by this committee, as well as the administration's Advanced Energy Initiative. It's also urgently and desperately needed to meet the energy requirements for the future.

I am humbled and enthusiastic at the prospect of leading a regulatory agency whose mission includes oversight for the environmentally sound production of coal at a time in our history when the

need for energy independence has never been more acute. I assure you that I don't underestimate the complexity and the significance of this responsibility as I respectfully ask for confirmation of the President's nomination.

I'm proud that Nancy, my high-school sweetheart and wife of 37 years, is with me today. She's been my greatest source of encouragement, my best friend, my most astute counsel for all these years. I want to publicly acknowledge her for being my life partner, my greatest supporter, and for giving me two wonderful sons, Jason and Tony. They, along with my daughter-in-law, Tina, and our grandsons, Alex and Max, could not be here today, nor could my father and stepmother, but I do know, and I want you to know, I have their unwavering support and confidence, and we all await your deliberations with anticipation and interest.

First, some personal background. I'm from Linton, a small coal-mining town in southern Indiana, where my parents, Ray and Maxine, owned and operated successfully a retail business for many years. I grew up in a home and with a way of life that taught and reinforced the values of faith, honor, patriotism, respect, and service. It was a good life, with swimming, fishing, hunting, and camping at our doorstep.

During my childhood, I developed a lifelong passion, appreciation, and respect for the great outdoors and the splendor and personal value of our wonderful natural resources.

Since the 1800's, my hometown of Linton has been the center of coal mining in Indiana. It was during my childhood that I first saw—saw firsthand the legacy of previous generations of coal mining. Everywhere, we saw damage that was a century's worth of surface and underground mining: creeks contaminated with acid water, abandoned mining structures, unreclaimed land with shale, slurry, coal refuse, and many open mine portals. This was not only an environmental calamity, but it was a public health and safety disaster poised to strike.

These memories of this devastation have stayed with me, in my adult life. But today, that very countryside is a living testament to the effectiveness of the Surface Mining Control and Reclamation Act of 1977, or SMCRA. My beautiful hometown community now carries very few scars from those early mining years, and the current mining operations are run to keep it that way.

Early in my career in coal mining, I worked closely with the Office of Surface Mining, OSM, their staff and their inspectors, to implement the then-new SMCRA at the mines, which gave me a fundamental, as well as a practical, understanding of OSM's mission, vision, and importance.

Although I left the coal industry sector in 1991, I have spent more than 30 years in the mining industry, mainly in surface mining in the Midwest, the Southwest, including tribal lands; Appalachia; and the Upper Midwest. Throughout my mining career, I've worked closely and collaboratively with State and Federal agencies, mining companies, and others to ensure that mining operations I was involved with were safe and healthy operations that equally valued the safety and health of their workers, as well as the conservation and protection of resources, and the security and well-being of those impacted by those operations.

More recently, I've been on the regulatory side of the business equation, responsible for Federal oversight of the mining industry to ensure compliance with Federal safety and health rules and regulations. That valuable experience gave me a firm understanding of the responsibilities and the duties of a regulatory agency, and the absolute necessity for fair, firm, and consistent enforcement of all rules and regulations.

Mr. Chairman, during my career, my philosophy on certain aspects of mining has become resolute. Mining is crucial to commerce and our economy, as well as our national defense. A balance can, and must, be maintained between conservation protection and production. Care of the environment and efficient production of energy are not mutually exclusive goals. I hold these values firmly as a fundamental part of my personal philosophy. I truly believe in them, and I work actively to carry them out.

The primary objectives of OSM seem very clear to me: to ensure that coal mines are operated in a manner that protects citizens and the environment during mining, to assure that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned mines.

Mr. Chairman, members of the committee, I pledge to aggressively pursue these objectives and advance the remarkable progress already achieved in abandoned mine reclamation and to ensure strict adherence to the laws and regulations designed to protect the public and our natural resources from active and future mining.

I further pledge to implement and strengthen technical and educational programs that address OSM laws and regulations, and to encourage a cooperative and productive dialog between OSM, the States, the tribes, the regulating communities, stakeholders, and other agencies, as well as the public. I will work diligently to build bipartisan support to achieve our mutual goals. Together, we can forge a mining legacy for future generations of Americans that contributes positive to their quality of life.

This concludes my testimony. I thank you for your consideration of this nomination. I look forward to hearing your perspectives and also your views on the challenges. And I'll be pleased to answer any questions, sir.

Thank you.

[The prepared statement of Mr. Correll follows:]

PREPARED STATEMENT OF JOHN RAY CORRELL, NOMINEE TO BE DIRECTOR, OFFICE OF SURFACE MINING, DEPARTMENT OF THE INTERIOR

Mr. Chairman, Senator Bingaman, and distinguished Members of the Committee, it is a great honor to come before you today as you consider my experience and qualifications for confirmation as President Bush's nominee for Director—Office of Surface Mining (OSM). I am grateful for the confidence and trust the President has shown in me by this nomination and for giving me the opportunity to serve. I also thank Secretary Kempthorne for his support of this nomination, and if confirmed, I look forward to his leadership and guidance.

Coal, an abundant and economical energy source, has played a key role in the history of our great nation, and will continue to do so into the foreseeable future. As you know, clean coal technology plays a pivotal role in the Energy Policy Act of 2005 as envisioned by this Committee, as well as the Administration's Advanced Energy Initiative. I am humbled yet enthusiastic with the prospect of leading a regulatory agency whose mission includes oversight for the ecological production of coal at a

time in our nation's history when the necessity for energy independence from foreign sources has never been more widely recognized.

We can ensure the conservation and restoration of our beautiful country and a secure energy source by providing the necessary leadership and strategic thinking to create and surpass new milestones of excellence, while building on past accomplishments of OSM. I don't underestimate the complexity and significance of these beliefs, and I respectfully ask for your confirmation of the President's nomination.

I am proud that Nancy, my high school sweetheart and wife of 37 years, is with me today. After all these years of being at my side, she continues to be my greatest source of encouragement, my best friend, and most astute counsel. I want to publicly acknowledge Nancy not just for permitting me to pursue my dreams and career ambitions but also for being my life partner and giving me the greatest family a person could ever have. Our sons Jason and Tony, daughter-in-law Tina and grandsons Alex and Max couldn't be here today to share in this honor, nor could my father and step Mother. But I can assure you that I have their support and confidence in asking for your confirmation of my nomination, and all are devotedly awaiting your deliberation.

By way of personal background, I grew up in Linton, a small coal-mining town in Southern Indiana, where my parents, Ray and Maxine Correll owned and successfully operated a retail business. Life in Linton, then and now, basically revolved around family, church, school and outdoor recreation. Values such as faith, honor, patriotism and respect were taught early on and reinforced as a way of life.

Some interesting highlights of my little home town's history include the birth place of band leader and actor Phil Harris; the home of a 7-day Freedom Festival which includes the second largest July 4th parade in the great state of Indiana; and the stone monument which was originally made from coal and placed in the city park designating the town as the official center of the U.S. population in 1930.

My home town has been at the center of coal mining in Indiana dating back to the late 1800s. Coal mining in 1870 turned Linton into a boomtown. Later, between 1900 and 1906, the population of Linton swelled from 3,000 to over 12,000 with the advent of several new coal mine openings.

Our community was surrounded by many lakes and streams, woods and meadows. Outdoor recreation was abundantly available, with swimming, fishing, hunting and camping at our doorstep. And my family enjoyed these natural resources at every opportunity. Consequently, during my childhood I developed a lifelong passion and appreciation for the great outdoors and the splendor of our natural resources.

It was also during my childhood that I witnessed first-hand a legacy of coal mining from previous generations. Evidence of surface and underground coal mining conducted during the late 19th and early 20th century could be found throughout the area. Orange-colored acidic water contaminated many creeks, rivers and lakes. Acres of shale-covered ground, surrounded by unleveled spoil banks resulted in many areas that could not support any kind of vegetation or plant growth.

Old abandoned coal refuse piles and coal slurry lay atop ground that once was prime farm land or woods. Hazardous, open, unrestricted mine portals beckoned people of all ages into old mines. And decaying, abandoned mining facilities and structures were scattered about inviting trespass . . . and grave danger. This coal mining legacy left an indelible image in my memory that I have carried throughout my adult life.

Today, my home town community serves as a testament to the effectiveness and necessity of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) which bears little or no reflection of those early mining years, with current mining addressing environmental conservation and protection throughout the mining process.

In 1975, like several relatives before me, I began a career in mining . . . this was two years before the implementation of SMCRA. With the enactment of this Act came a new era in coal mining, with a much-needed focus on the legacy of mining with equal emphasis on regulating active mining to protect the environment and society to eliminate what I had witnessed growing up.

My professional career now spans 30 years in the mining industry (nearly equally divided between the coal and metal/nonmetal sectors), with significant experience in the Midwest, Southwest (including Navajo and Hopi Tribal lands), Appalachia and the Upper Midwest, the majority of which involving surface mining.

During my early career in coal mining, I worked closely with the Office of Surface Mining (OSM) inspectors and staff to implement the newly enacted SMCRA, and I gained a fundamental understanding of OSM's mission, vision and importance. Throughout my mining career I have worked collaboratively and directly with state and federal agencies, mining companies, and other stakeholders to ensure safe and

healthy mine production with equal value placed on conservation and protection of all resources, and the safety and well-being of all people potentially impacted.

And more recently I have been on the regulator's side of the business equation, responsible for Federal oversight of the mining industry to ensure compliance with Federal safety and health rules and regulations. This experience has given me a proper understanding of the responsibility and duty of a regulatory agency and criticality of firm, fair and consistent enforcement of all applicable rules and regulations.

Mr. Chairman, over the course of my career my philosophy on certain aspects of mining has become fixed. Mining is vital to commerce and our national economy, as well as our national defense. A balance can and must be maintained between conservation and protection, and production. Environmental requirements are not mutually exclusive to the efficient production of energy. I hold these beliefs as values, meaning resolute as opposed to priorities which often change.

I know that firm and fair enforcement, combined with the right kind of compliance and technology assistance, as well as education and training will result in accomplishing this balance, regardless of the mining methods employed. And I know that partnerships and cooperative alliances based on trust and mutual goals are needed to mobilize the commitment we all share for compliance to the laws and regulations administered by the OSM, and to advance mining with appropriate protection and conservation of our natural resources.

The primary objectives of the OSM include: ensuring that coal mines are operated in a manner that protects citizens and the environment during mining; assuring that the land is restored to beneficial use following mining; and mitigating the effects of past mining by aggressively pursuing reclamation of abandoned mines.

Mr. Chairman, and members of this Committee, I pledge to aggressively pursue these objectives and advance the remarkable progress already achieved in abandoned mine reclamation, and ensuring strict adherence to the laws and regulations designed to protect the public and our natural resources from active and future mining. I further pledge to implement and strengthen technical and educational programs that address OSM laws and regulations and to encourage a cooperative and productive dialogue between the OSM, the States, the tribes, the regulated community, the stakeholders, other agencies and the public.

Furthermore, I will work diligently to build bipartisan support to achieve our mutual goals of producing essential energy without sacrificing our environment, and without putting the public at risk. Together, we can forge a mining legacy for future generations of Americans that contributes positively to their quality of life.

Thank you for your consideration of my nomination, and also for the opportunity to provide my views which should be a basis upon which to measure my future performance if I am confirmed. I respectfully request your support in this important and essential confirmation process. I also look forward to hearing your comments and perspectives regarding the issues and challenges facing OSM. I will be pleased to respond to any questions you might have to the best of my ability.

The CHAIRMAN. Thank you very much, sir. Very good statement.

Mr. CORRELL. Thank you.

The CHAIRMAN. Dr. Myers, you're next. Your statement will be made a part of the record. Please summarize it, and we'll proceed.

TESTIMONY OF MARK D. MYERS, NOMINEE TO BE DIRECTOR OF THE U.S. GEOLOGICAL SURVEY, DEPARTMENT OF THE INTERIOR

Mr. MYERS. Thank you. Mr. Chairman, Senator Bingaman, and members of the committee, I am honored and humbled to appear before you as the President's nominee for director of the U.S. Geological Survey. I greatly appreciate the confidence placed in me by the President and by Secretary Kempthorne. If confirmed, I look forward to the challenge and responsibility of managing one of the premier scientific research organizations in the world.

I wouldn't be here except for the support my family, many of which are present in the audience today.

I grew up in western Wisconsin on the sandstone bluffs overlooking the Mississippi River, where I learned to love the environment around me, especially the area's geology, natural processes of

the Mississippi River, and the area's spectacular ecosystem. These early experiences led me—led to my career as a geologist. I hold B.S. and M.S. degrees from the University of Wisconsin-Madison, and a Ph.D. from the University of Alaska-Fairbanks, with a specialization in clastic sedimentology.

If confirmed, I will bring more than 25 years of professional experience to the position. I have significant—spent significant time in both the private and the public sectors, and function well in both environments.

In the private sector, I worked as a petroleum geologist on both exploration and development, primarily in Alaska. For the State of Alaska, I worked as a petroleum geologist, the director of the Division of Oil and Gas, and the State geologist and director of the Geological and Geophysical Surveys. Additionally, I spent 26 years in the Air Force Reserve, retiring as a lieutenant colonel in 2003.

As State geologist, I was responsible for general geological mapping, geohazards, energy and mineral assessments, research, and engineering geology. As director of Oil and Gas, I was responsible for managing the State's largest source of general funds: the oil and gas revenues from our State-owned lands. The division would provide up to $2 billion a year of direct revenue to the State. As part of that job, I was responsible for balancing the State's need for oil and gas production and revenue with the need for habitat and environmental protection. In order to make sound management decisions, it was necessary to integrate the best available geological, geophysical engineering, economic, hydrological, biological and geospatial data. It was critical that this data be accurate, unbiased, and relevant. And the central part of the process was communicating with the public through outreach hearings and best-interest findings, similar to an environmental impact statement document. We worked hard at building public consensus on controversial issues, and I believe we maintained our public credibility because we listened and did our homework.

Under my leadership, the Alaska State Division of Oil and Gas and the Geological Survey dramatically increased their research capabilities and use of advanced technology; in particular, sophisticated seismic analysis and advanced economic modeling. I was able to integrate the superior geophysical data base management, engineering, and economic modeling skills within our Division of Oil and Gas with the superior surface geological mapping and remote sensing skills of our State Survey. This resulted in a dramatic increase in the quality of the reports and publications of both organizations, better public policy decisions, and a substantial increase in public demand for the information.

As part of that process, we built integrated teams of specialists within the divisions that significantly improved—and significantly improved our partnership relationships with our sister research and management organizations on the State, local, and national levels.

I mentioned my background experience in order to illustrate the importance I placed in the acquisition and use of high-quality, unbiased scientific data to inform the public on policy and resource management decisions. I believe it is equally important that that information be effectively communicated to the end-users, includ-

ing, but not limited to, resource and regulatory agencies on the Federal, State, and local levels, the broader scientific community, and the general public.

The scientific research conducted by the USGS has, and will, become even more essential to our country and world as we deal with our ever-increasing interaction and demands on our natural world. The research and monitoring performed by the USGS supports national, State, and local efforts to mitigate risks from natural hazards, as well as management of our Nation's water, biological, mineral, and energy resources.

Recent worldwide natural disasters and energy supply issues clearly illustrate and highlight the need for this research. If confirmed, I will be charged with providing executive leadership, direction, and policy oversight to a world-class multidisciplinary scientific organization. I look forward to working with the talented and dedicated professionals of the USGS at a time when focused impartial science has never been more important. I am excited about the opportunities of working in direct cooperation and collaboration with the scientific community, resource managers, regulators, and educators in order to maximize the effectiveness of the USGS.

Thank you, Mr. Chairman and members of the committee, for your time and consideration.

[The prepared statement of Mr. Myers follows:]

PREPARED STATEMENT OF MARK D. MYERS, NOMINEE TO BE DIRECTOR, U.S. GEOLOGICAL SURVEY, DEPARTMENT OF THE INTERIOR

Mr. Chairman, Senator Bingaman, and members of the Committee, I am honored and humbled to appear before you as the President's nominee for Director of the United States Geological Survey. I greatly appreciate the confidence placed in me by the President and Secretary Kempthorne. If confirmed, I look forward to the challenge and responsibility of managing one of the premier scientific research organizations in the world.

I grew up in western Wisconsin on the sandstone bluffs overlooking the Mississippi River, where I learned to love the environment around me, especially the area's geology, the natural processes of the Mississippi River, and the area's spectacular ecosystem. This led me to the University of Wisconsin-Madison, where I received my B.S. and M.S. degrees in geology and my commission in the USAF Reserve. After completing my M.S. degree, I went to work as a petroleum geologist for Atlantic Richfield (ARCO), largely because they offered me the best chance to be assigned to Alaska. After working for 20 months at ARCO in Texas and South Louisiana, I was transferred to Alaska, which has been my home for the last 23 years. While employed by ARCO, I had the opportunity to work on both exploration and development projects in some of the most remote parts of Alaska and offshore waters, as well as participate in and lead geologic field surveys. I left the company to complete a Ph.D. in geology at the University of Alaska-Fairbanks, specializing in clastic sedimentology.

In 1990, I went to work as a petroleum geologist for the State of Alaska Division of Oil and Gas, where I developed an appreciation for working in the public sector for the people of Alaska. At the Division of Oil and Gas, I worked on a diverse group of projects which included geological research (some of which was performed jointly with the USGS), management of the State's petroleum resources, industry regulation, commercial negotiations with oil companies, and selection of the final State land entitlement from the Federal Government. Following eight years with the State, my desire to work with the latest cutting edge 3-D seismic technology led me back to ARCO, where I was fortunate to be the project geologist on several successful new oil discoveries in Alaska. In late 2000, I was asked to return to State employ as the Director of the Division of Oil and Gas. I served in that position from January 2001 until I resigned in November 2005. During my tenure with the State, I was given additional responsibilities of State Geologist and Director of the Division of Geological and Geophysical Surveys. I chose to take a significant reduction in sal-

ary to return to State service, because I believed I could make a positive difference for the people of Alaska. That same desire to make a positive difference for the American public brings me before this committee.

During my five years of leadership, the Alaska State Division of Oil and Gas and the Geological Survey dramatically increased its research capabilities and use of advanced technology, including sophisticated 3-D seismic analysis and advanced economic modeling. We built integrated teams of specialists within the divisions and significantly improved the partnership relationships with our sister research and management organizations on the local, State and national levels. As the Director of Oil and Gas, I was responsible for managing the State's largest source of general funds, the royalty revenue from Alaska's oil and gas leasing program and the State royalty share of oil and gas production. The division would provide up to $2 billion/year of direct revenue to the State.

As the Director of Oil and Gas, I was responsible for balancing the State's need for oil and gas production and revenue with the need for habitat and environmental protection. In order to make sound management decisions it was essential to integrate the best available geological, geophysical, engineering, economic, hydrological, biological and geospatial data. It was critical that these data were accurate, unbiased, and relevant.

Because of the State's ability to perform its own scientific studies internally or with partners, and to fully utilize the existing data, we were able to develop effective strategies for dealing with issues proactively. An essential part of the process was communicating with the public through outreach, hearings, and written Best Interest Findings. We worked hard at building public consensus on controversial issues, and I believe we maintained our public credibility, because we listened and did our homework.

As State Geologist, I was responsible for other areas, including general geological mapping, geohazards, mineral assessment and research, and engineering geology. As the Director of both the Geological and Geophysical Survey and the Division of Oil and Gas, I was able to integrate the superior geophysical, database management, engineering and economic modeling skills of the Division of Oil and Gas with the superior surface geological mapping and remote sensing skills of the State Survey. This resulted in a dramatic increase in the quality of the reports and publications of both organizations, better public policy decisions, and a substantial increase in public demand for the information.

I mention my background and experiences in order to illustrate the importance I place on the acquisition and use of high quality, unbiased, scientific data to inform the public on policy and resource management decisions. I believe that it is equally important that the information is effectively communicated to the end users, including, but not limited to, resource and regulatory agencies on the Federal, State and local levels, the broader scientific community, and the general public.

The scientific research conducted by the USGS has been and will become even more essential to our country and the world as we deal with our ever increasing interaction with and demands on the natural world. The research and monitoring performed by the USGS supports national, state and local efforts to mitigate risk from natural hazards as well as management of our nation's water, biological, mineral and energy resources. Recent worldwide natural disasters and energy supply issues have highlighted the need for this research.

If confirmed, I will be charged with providing executive leadership, direction and policy oversight to a world class multidisciplinary, scientific organization. I look forward to working with the talented and dedicated professionals of the USGS at a time when the need for focused, impartial science is so important. I am excited about the opportunities to work in direct cooperation and collaboration with the scientific community, resource managers, regulators, and educators in order to maximize the effectiveness of the USGS.

Thank you Mr. Chairman and members of the committee for your time and consideration.

The CHAIRMAN. Thank you very much.

I note, Mr. Correll, that I think you're the only one that didn't get to introduce your wife. Is that correct? Did she get introduced?

Mr. CORRELL. This is my wife with me here. Nancy.

The CHAIRMAN. Would you stand up? Thank you. Nice to see you, ma'am. Thank you for coming.

Mr. CORRELL. Thank you, Senator.

The CHAIRMAN. Now we're going to start with the questions, and we're going to go over and ask if you'd like to start, please, Senator Bunning.

Senator BUNNING. Thank you, Mr. Chairman.

First of all, I'd like my opening statement to go in to the record.

The CHAIRMAN. That'll be done.

Senator BUNNING. Thank you.

[The prepared statement of Senator Bunning follows:]

PREPARED STATEMENT OF HON. JIM BUNNING, U.S. SENATOR FROM KENTUCKY

Thank you Mr. Chairman.

The Office of Surface Mining supports the states' surface mining programs and administers the Abandoned Mine Land program. As one of the largest historic and current coal producers, my state of Kentucky considers the AML program very important. We have a large state-share balance that is owed to us by the federal government. And we have significant high priority reclamation sites that need to be addressed immediately.

Most coal states, like Kentucky, have primacy when it comes to surface mining, and OSM will only serve in a limited oversight role to make sure the states are doing their job. I believe it is important that the Director of the Office of Surface Mining realize that he will be the C.F.O. of the AML program.

As my colleagues are aware, proposals to change the AML program have been under consideration for the last several years. I am concerned that the funding that is required to reclaim dangerous abandoned coal mines has been increasingly diverted to other purposes. No matter what legislation passes congress, I will look to the Director of the O.S.M. to come to Congress and give honest assessments of the program. It will be his job to ensure that the A.M.L. program is solvent, that states receive the money owed to them, and that we have the long-term ability to reclaim abandoned mine land.

I look forward to talking with the nominee to be Director of the U.S. Geological Survey. I am very familiar with the U.S.G.S. and the outstanding mapping they have done in Kentucky. I also look forward to discussing the new position of Federal Coordinator of Alaska Natural Gas. In these times of high energy prices, it is important that we have a steady hand to ensure that Alaska natural gas gets into the market as quickly as possible.

Thank you Mr. Chairman.

Senator BUNNING. Mr. Correll, today we have seen the Abandoned Mine Land Program resources stretched to its limits because money is diverted to other areas. With this budgetary reality, what will you be able to do to ensure that abandoned mine lands are reclaimed? Will you come to Congress and provide realistic comments on the AML program, if confirmed?

Mr. CORRELL. Thank you, Senator Bunning. I'm familiar with AML funds, of course, and I need further study before I'd give you any absolute answers on that. I will give you my commitment, freely, to work with you and your staff and other members of the committee, if confirmed, looking at the AML fund, looking for the long-term solutions.

Senator BUNNING. Are you familiar with the diversion of funds presently from the AML fund to other entities right now?

Mr. CORRELL. Yes, sir, I've seen how the fund is appropriated currently. Yes, sir.

Senator BUNNING. In other words, it's being used for healthcare benefits, it's being used for retirement benefits of orphaned miners, and the current coal companies are being forced to pay those benefits when the mine—in other words, in Kentucky, if I have a coal company that operates in Kentucky, that money is not being returned to Kentucky to reclaim the abandoned mine land, but it's being diverted to other purposes. I want to make sure that Ken-

tucky gets back the money that they've been paying to reclaim—we have an awful lot of abandoned mines in Kentucky, and we want to make sure that they get reclaimed. I need a commitment from you to make sure that that is done.

Mr. CORRELL. Senator, again, if confirmed, I would look forward to, and would immediately seek out, your advice and your thoughts and concerns, as well as other members of the committee, on the AML fund, as well as other aspects of OSM. I can also say that it is, if confirmed as director, my mandate and duty as the—primarily, the SMCRA, in carrying out the mandates that Congress prescribed under SMCRA.

Senator BUNNING. As you know, States like Kentucky have primacy in surface mining issues. Primacy. In other words, they have first control over their mines. Will you defer to the States and ensure OSM keeps only a limited oversight role?

Mr. CORRELL. Senator Bunning, "primacy," to me, means primacy, and those States that have reached out for primacy and have been—have achieved primacy would, in fact, have primacy. OSM's role is oversight to ensure that they're doing the things that they've said they would do and that SMCRA requires. So, I would recognize primacy, sir, as it's intended to be, Senator.

Senator BUNNING. Mr. Myers, the USGS has worked very well in my State with mapping projects, particularly working with our State geologists to make detailed maps available on the Internet to the public. I understand that Kentucky is more advanced than most States when it comes to mapping. What are the national needs in this area?

Mr. MYERS. Thank you, Senator Bunning, for that important question.

One of the core missions of the USGS is clearly basic geological mapping and gathering information. And I'm aware of the high quality of the work that comes out of the Kentucky Survey. One of the State—one of the important programs of the USGS has been the Cooperative Mapping Program with the States. It's a competitive program in which the State gets grants through the USGS from the Federal Government, and I think that program has been a big success. Furthermore, the USGS is dedicated to a lot of traditional mapping as one of its core missions.

Senator BUNNING. How far behind are most States in the updating of their mapping?

Mr. MYERS. Senator Bunning, it runs the gauntlet. Particularly the issue of getting maps from paper maps in to the digital world and to a new geospatial infrastructure really highly varies by State. And I'm not fully aware of all the States' issues, but I certainly know that there is a wide variety in the quality and scale of not only geological maps themselves, but also the amount of maps that are actually done digitally today. And, Senator, if confirmed, I'd be happy to look more into that program.

And I will say one other thing. I consider cooperative programs with the States essential to the well-being of the USGS and to the State Surveys, as well, and look forward, if confirmed, to working with the State Surveys on geological mapping.

Senator BUNNING. My time has expired, but I wanted to ask Mrs. Pearce—but I'll wait for my second round.

The CHAIRMAN. No, you can proceed.

Senator BUNNING. Can I proceed? Thank you.

With high energy prices, we can all see how important it is to connect the vast supply of natural gas in Alaska to the rest of our country. Will you be tasked with ensuring this connection is made as quickly as possible? And do you foresee any immediate hurdles to this goal?

Ms. PEARCE. Senator, thank you. Thank you for that question, Senator.

It will be my responsibility, if I am confirmed, when an application comes to the Federal Energy Regulatory Commission, to ensure that all 14 Federal agencies that will have a role in the permitting and the licensing and in the construction will work together to expeditiously move forward. The hurdles at the Federal level will be few and far between. I will make sure of that.

Senator BUNNING. What about in the great State of Alaska?

Ms. PEARCE. Thank you, Senator.

At present, as you most likely know, the Governor has the legislature called into special session, and they have before them both a rewrite of the oil tax policies, along with a contract under the Stranded Gas Act, with the producers that would lead to an application coming before us. I believe that the legislature will do the right thing.

Senator BUNNING. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator.

Let me just follow up. Ma'am, there still isn't any accord between the State and—well, between the State and the companies, right?

Ms. PEARCE. Senator, there is accord. There is a contract agreed to between Governor Murkowski and the three producer companies. That contract, the basic pieces of it, will be before the legislature—if not during this special session, then later this fall, during another special session. So, there is accord between the producers and the Governor.

The CHAIRMAN. Well, the holdup is that the legislature won't ratify it or—what's the holdup?

Ms. PEARCE. The legislature has not yet ratified it. They did not come to an agreement on the oil tax changes during either the regular session or the first special session, so they are back in Juneau. I always hazard to say what any legislature might do, but they do appear to have critical mass to move forward on an oil tax change, so I do believe that they will take action.

The CHAIRMAN. You do believe that will happen?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. Senator Thomas.

Senator THOMAS. Thank you all for being here, and for being willing to undertake these jobs. I know they're difficult, certainly in the area of energy, where many of our challenges are now. And, just for information on what you just mentioned, this pipeline is a Federal pipeline, is that right?

Ms. PEARCE. It'll be federally licensed and permitted. It will be privately owned. This is by—depending upon the project that comes before us, it'll be privately owned. But, when Congress passed the Act, you provided for a loan guarantee, sir.

Senator THOMAS. Right. So, what's the State's role in making this judgment?

Ms. PEARCE. Well, the gas is on State leases.

Senator THOMAS. Pardon me?

Ms. PEARCE. The present gas that is known in Alaska, that 35 tcf of gas, they're on—it's on State leases, so it's State gas. And more than—about half of the right-of-way in the State of Alaska crosses State lands. The other half is Federal lands. So, we will coordinate with the State.

Senator THOMAS. I would imagine they're interested in selling the gas, aren't they?

Ms. PEARCE. They are interested in selling their gas, that is true, their royalty gas.

Senator THOMAS. OK. Just generally, and I appreciate what you've said, and so on, what would you say, in just a short statement, would be the principal challenges to the job you're undertaking?

Ms. PEARCE. Senator, if I'm confirmed, I think that the principal challenge will be working to ensure that all the Federal agencies that are involved in this huge project stay on schedule in getting their permits and licenses through. We have a deadline—18 months for an EIS. That environmental impact statement has to also be used for the right-of-way grant and for other permits. So, the agencies are going to have to work closely together. It will be my responsibility, if I'm confirmed, to mediate any skirmishes between the agencies, but primarily to ensure that they stay on track with the schedule in coordination with the State of Alaska.

Senator THOMAS. OK. Thank you.

Dr. Myers, what—how would you, sort of, summarize your responsibility and challenges? What do you think are the principal challenges of the Geological Survey?

Mr. MYERS. Thank you, Senator Thomas, for that question.

First of all, I have the highest respect for the agency. The high-quality caliber of the scientific personnel is outstanding. The Survey has a wide and diverse, broad mandate, in terms of developing and studying science, and providing science that's valuable. I think one of the key challenges will be to make sure the science is focused and ready and available where we need it, when we need it. So, that takes an anticipation of what world issues are going to be the big challenges for us.

I think one of the other big challenges—and I think the Survey has done this admirably, but it will be incredibly important—is that the science is unbiased, that it's peer reviewed, and that it's objective, so that it comes with no agenda other than helping to provide the framework for dealing with the major policy issues we face in this country.

And so, it's a very large agency, again, focusing the multidisciplinary science together to work is going to be, I think, the largest challenge, to make sure that we're effectively delivering the products the Nation needs, and that we're accountable to our funding sources, to the Congress, and to the administration, as well.

Senator THOMAS. Good. Thank you. It seems like, in handling the development of energy resources and so on, that there's a number

of agencies involved. Now, I know that you're not a regulatory agency, I guess, especially, are you?

Mr. MYERS. Senator Thomas, in particular, we're not. And that's the way it needs to be so that the Survey can deliver objective information that's independent of the regulatory or commercial interests of any party——

Senator THOMAS. Yes.

Dr. MYERS [continuing]. So it is absolutely clean and objective, and it can be used for policymaking. Conversely, it can—also is available to the general public.

Senator THOMAS. Right. One of the problems is, when there are several agencies involved, you have—one agency makes its regulations, and then the next one makes its findings, and so on; and so, it takes a very long time to get them all done. I hope we can have coordination among the agencies that share some of the responsibilities.

Mr. Correll, what—I think the Senator took away my question about the funding. The Abandoned Mine Lands Fund, there's a fee, and it's my understanding that, at least originally, the idea was, that fee was used to deal with abandoned mine lands. And the fact is that not all of it does that at all. It's going into other uses. And the States are not getting their money that—all the money that's collected. What do you think of that?

Mr. CORRELL. I see the—Senator Thomas, I see the AML as perhaps my greatest challenge, if confirmed, with OSM bringing some long-term solution rather than reauthorization; short-term, building some consensus through outreach as to what the fund is, and what it should be for, and how it should be used and funded. Without giving any specific opinion as to how I would do that or what it should look like when it's done, I would simply say I will work very closely with you, the committee, the coal-producing States, those impacted by ALM and the funding, to achieve a long-term solution that's fair and equitable and still allows OSM to reach the mandate that SMCRA puts on the OSM, on the agency.

Senator THOMAS. Yes. Well, we all—as we have more and more economic energy development, why, we want to make sure we balance it with the environment, and that was one of the purposes of this, to go ahead and reclaim those areas. And it seems to me that diverting the money away to other purposes is a—moves away from the purpose of this whole proposition, and it's become a political issue, it seems. So, welcome to the political arena.

[Laughter.]

Senator THOMAS. Thank you, Mr. Chairman.

The CHAIRMAN. Well, I'm sorry I skipped over you a little while ago. I apologize.

Senator THOMAS. Not at all.

The CHAIRMAN. You have to—I have to be a little careful to show no preference to the big righthander, Senator Bunning, any longer.

[Laughter.]

The CHAIRMAN. Well, witnesses, it's been terrific having you. And we could take a lot of time just talking, here, about your jobs, because they're big jobs.

For instance, Drue Pearce, I can tell you how thrilled and happy we were, as we proceeded with the Energy Act in August of last

year, and got it passed, and had it signed by the President. And, in my case, it was a particular thrill, because we hadn't had one in 15 years. And we did it bipartisan. And we brought the President of the United States to sign it, out in our State of New Mexico. And one of the provisions that didn't miss our attention, albeit far, far away from New Mexico, was the provision that said one of the these days we're going to get a lot of natural gas from up there in Alaska. And we weren't talking about ANWR, which we're still fussing with trying to get something done, and hope we will, we're talking about that giant project to bring natural gas right into the heartland of the country, which you're the supervisor of, henceforth, right?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. In about 2 weeks, when you get yourself sworn in, you've got this $20-billion contract. That's what it is, about?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. Twenty-plus.

Ms. PEARCE. Yes, Senator.

The CHAIRMAN. Not too many of them bigger than that, are there?

Ms. PEARCE. No, sir, it would be the largest privately financed construction project ever in the world.

The CHAIRMAN. Yes, well, it's privately financed in the one sense, but it's publicly enhanced——

Ms. PEARCE. A loan guarantee, sir.

The CHAIRMAN [continuing]. Because we guarantee it. And that's why you're involved. Now, we don't want to go into detailed questions today, but I can tell you right now that, as one who worked very hard to get that done, I am not very thrilled with what's going on up there. And you can sit there and tell me, with your nice placid face, that this is all going along and the legislature is going to vote and approve things, but things aren't going very well. There's too much—too many disputes going on. And, for my cup of tea, or cup of coffee here, there's an awful lot of something that smells and looks like politics going on. I don't know whose or where, but I'm telling you, the American people expect us to get that done. We didn't put our guarantee—our public's guarantee on $20 billion to have further delays.

Now, that's not any aspersion on you, ma'am, but it is this, it is saying to you that you just took an oath a little while ago, and you told us that you would testify before this committee, when we ask you to, on what's going on, on any matters over in their Department that concern us and the business of the public. And I'm, sort of, forewarning you that we're going to get you up here on this issue rather frequently.

Ms. PEARCE. OK.

The CHAIRMAN. At least I'm reminding my staff today to, sort of, put it on the calendar and haul you up here, nicely—that's a bad word—ask you up here and find out what's going on. OK?

Ms. PEARCE. Yes, sir, Senator, I'll be happy to.

The CHAIRMAN. And you're going to be prepared to tell us, right?

Ms. PEARCE. Yes, sir, I'll be prepared, and I'll also deliver your message to the legislature.

The CHAIRMAN. That'd be nice. You can deliver it to whoever would like to hear it up there——

Ms. PEARCE. Yes, sir.

The CHAIRMAN [continuing]. The Governor, whoever's in legislature. I mean, they may not care what we think, but we put on a pretty whopping full-court press to get that done. That isn't an easy thing to get it done around here, right? That's one of the big ones. We did a couple of big ones. The pipeline, I remember——

Ms. PEARCE. TAPS.

The CHAIRMAN [continuing]. Passed by one vote. You were probably alive and kicking by then. I don't remember which age he said you were, but you were probably——

Ms. PEARCE. Fairly old.

[Laughter.]

The CHAIRMAN. You were old enough to remember that?

Ms. PEARCE. Oh, yes, sir.

The CHAIRMAN. Damn near didn't pass, right?

Ms. PEARCE. That is correct, sir. One vote.

The CHAIRMAN. One vote.

Ms. PEARCE. The Vice President had to break the tie.

The CHAIRMAN. Break the tie. And we thought that was the neatest project. We couldn't understand why the whole world didn't want it, right?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. Well, it's the same thing with ANWR now. But it wasn't the same thing with this one that you're supervising. We did that smooth, easy. How many votes? Seventy-six? Eighty? Eighty-some votes had the big old monster guarantee in it, right? So, you understand, we had—we're out in front of you, saying, "Come on, America needs this stuff. We don't want to be blackmailed anymore," right?

Ms. PEARCE. Yes, sir. I understand.

The CHAIRMAN. How many years do you think it is going to take before we get this thing?

Ms. PEARCE. If the legislature acts this fall and we have a contract, we'll begin the pre-application process in 2007. The companies tell us that they would expect gas in a pipe in 2014, Senator.

The CHAIRMAN. 2014.

Ms. PEARCE. Yes, sir.

The CHAIRMAN. My God, that's a long time, isn't it? Gee, we might not even use gas by then. Who knows?

[Laughter.]

The CHAIRMAN. You'd really better hurry up, because we're inventing all kind of new stuff out there, you know? With all this high price of crude oil, we're inventing new stuff, and we may not even need that gas. Boy, those companies better be wary about all that money they owe, right?

Ms. PEARCE. Yes, sir. Senator, if I'm confirmed, I would be happy to come back before the committee and explain the timeline.

The CHAIRMAN. Oh, you will?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. You think you know that pretty soon you can have that ready?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. When do you think you can give us a timeline?

Ms. PEARCE. As soon as I'm confirmed.

The CHAIRMAN. Oh, you can come right up here and give it to us?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. So, you already know it?

Ms. PEARCE. We have—the companies have given us a timeline. You, Congress, laid out that the EIS cannot take more than 18 months, so parts of the timeline were set by Congress, and the memorandum of understanding amongst the 14 Federal agencies has already led us to begin work looking at a schedule, so we can share a proposed timeline.

The CHAIRMAN. You've got an office already?

Ms. PEARCE. No, sir.

The CHAIRMAN. You don't?

Ms. PEARCE. I do not.

The CHAIRMAN. Where are you going to headquarter?

Ms. PEARCE. We don't know yet where the office will be, because it's a new agency.

The CHAIRMAN. But you will have one?

Ms. PEARCE. Yes, sir. If confirmed, then we'll work on getting space.

The CHAIRMAN. Where's the money?

Ms. PEARCE. The Department of Energy has the authority for the position, at the moment, until the nominee is confirmed, and they have money set aside in their budget for the Federal Coordinator's Office.

The CHAIRMAN. In other words, when I paid for it in the subcommittee, the Department of Energy, we paid for you, too?

Ms. PEARCE. Yes, sir.

The CHAIRMAN. Well, I hope you have good people there. How many do you expect to have working for you?

Ms. PEARCE. Our core office probably won't number more than 10 at the beginning. On a long-term basis, I can only tell you that when the pre-build happened for the lower 48 connections to Alberta back in the 1970's, the Federal inspector at that time had over 400 people overseeing the construction of that 2,500 miles of pipeline.

The CHAIRMAN. Well, we'll get around to asking you about that stuff, too, before long.

Ms. PEARCE. OK.

The CHAIRMAN. We'll give you a little time. Just don't get carried away with too many workers.

Ms. PEARCE. Yes, sir.

The CHAIRMAN. We hope you don't need a whole army up there, right? The companies have got to do their own work, right? You're just inspectors, so to speak.

Ms. PEARCE. That is correct.

The CHAIRMAN. They're going to build—they're going to have their own inspectors and their own whatever there is that goes with it, because it's their project, right?

Ms. PEARCE. That is true. But all of the agencies will have to also inspect——

The CHAIRMAN. Oh, yes.

Ms. PEARCE [continuing]. During the construction, in particular.

The CHAIRMAN. Well, the Government will have more people up there. They'll fall over each other trying to figure out who's got more to do, right, don't you think, Senator Bunning?

Senator BUNNING. Absolutely.

The CHAIRMAN. I've got it figured out already. Both righthanders are right on this one.

[Laughter.]

The CHAIRMAN. There's a little righthander and a big righthander.

Now, let's see, Dr. Myers, you're in charge of a great organization, and I want to talk about two things that are on my mind that are new and different, and that's underground water aquifers that are not potable in their ordinary condition, but, rather, we're looking at science to change them from—their status into something we can drink and use. That's salinated water, or desalinated processes. Tell me a little bit about your role, as you see it, if any, in trying to help us figure out how to make more water available where it isn't, more water available for use.

Mr. MYERS. Thank you, Mr. Chairman.

As you know, the USGS has a sizable organization to look at both surface water and a lot of cooperative stream-gauging efforts, as well as underground aquifers and understanding the lateral extent, the use, the recharge, and the environmental impacts of the current use and potential future use. The agency provides science to help support the policymakers on how much water can be withdrawn from aquifers and what the future might look like as population densities in different areas grow.

I know a tremendous amount of science is going into it. It's a core area of research for the Survey. I am not familiar with the actual issues of taking nonpotable water, or saline waters, and converting them to potable, or drinking, water, Senator. I'd be happy to look into that. I'm just not aware of it.

But, clearly, it's a core mission of the USGS. It's a major need of this country. We certainly have real issues with providing sustained, high-quality drinking water and water for irrigation. We have a lot of competing uses for our water and good science needs to be done so that when the policymakers make these tough decisions about allocating water or looking at future supplies, they have the data they need to help frame the issue. And certainly I'd be happy to—if confirmed, be happy to work with you, Senator, on the USGS water programs.

The CHAIRMAN. Well, Dr. Myers, you're going to hear a lot more from our office about saline water. It's not necessarily a charge of yours, but, on the other hand, it's not necessarily not a mission of yours, either, to help where you can with your expertise. It's a big, growing problem to try to determine how to best utilize salinated corridors and salinated underground ponds, and even surface ponds, where they have no use now, but are not too far away from a possible use. You're clearly aware of that science as having breakthroughs all the time. And, while we're principally using osmosis, there are other modes of science being applied to try to find a better way—a cheaper way, I guess I should say. That's probably a more economic way.

New Mexico is really hard-pressed in that area, and spending a lot of resources. And I've taken it upon myself to put a lot of money in the Department of Energy to do water research, and will appreciate, later on, trying to work out some cooperative things with your Department, as you assume your leadership role and make this department even better. It's a great department. We want you to keep it there. You know that. Straight professionalism, right?

Mr. MYERS. Yes, Senator. It'll have no value if we can't keep it that way.

The CHAIRMAN. That's correct.

Now, my last comments are going to go to you, Mr. Correll. I don't have to ask you questions of the types that have been asked about the fund, but I do have to lay before you my own observations that, based on your background, you're extremely well qualified for this job. I think it's unfair to not let the record reflect that there are some who object to your having this job. And you know that. I think that we all know why. And we're going to have to get those right out on the surface and find out the real, real truth behind them.

Going up front, I think I could take a couple of hours here and go through your qualifications, and it would clearly show that—by the time I was finished, that whoever's objecting, it couldn't be on qualifications, so it's got to be something else. And so, we're going to be sure that that gets out where they want to get it out, and you're going to have to answer it, but we're going to get your confirmation moving. We're not going to have you languish around here because certain groups don't want you in this job based upon their membership in certain organizations of one type or another. Do you understand what I'm talking about?

Mr. CORRELL. Yes, sir. Thank you, Mr. Chairman. If confirmed, I will serve with honor, and I appreciate your comments.

The CHAIRMAN. And you served—you'll have to serve for everybody, including those groups that don't like you.

Mr. CORRELL. Absolutely, sir. It's a duty——

The CHAIRMAN. They have a membership prejudice, but that doesn't mean that they aren't in the industry.

Mr. CORRELL. No, sir.

The CHAIRMAN. Correct?

Mr. CORRELL. Yes, sir.

The CHAIRMAN. They're just—we're just going to have to make sure, up here, that that doesn't mean we leave this job vacant. Because you're qualified. So, you know, we're going to get on with that.

If there's nothing further from the Senator, we're going to proceed.

Thanks to all of you who came to wish these nominees well. It has not gone unnoted. And they will move—we will try to move them with dispatch that you, as their relatives, would expect us to do. Sometimes you hear about all these long delays, and people being held up on the floor, and blue slips that hold people forever. We're going to try to see that doesn't happen, so your particular relative can move right along. Including you, who get this very unsavory job, ma'am.

[Laughter.]

The CHAIRMAN. And see that you get it done, okay?
Ms. PEARCE. Yes, sir.
The CHAIRMAN. You and I are going to be—get to know each other here in the next 18 months; you know that, right?
Ms. PEARCE. I look forward to it, Senator.
The CHAIRMAN. You can tell, can't you?
Ms. PEARCE. Yes, sir.
The CHAIRMAN. OK. We stand adjourned.
[Whereupon, at 11:20 a.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

RESPONSES OF DRUE PEARCE TO QUESTIONS FROM SENATOR DOMENICI

Question 1. The Alaska Natural Gas Pipeline Act that created the position to which you have been nominated was enacted in the fall of 2004. Here we are, nearly two years later, and we are apparently not much closer to getting a pipeline bill than we were when the law was enacted.

In your opinion, what is the most significant issue holding up the commencement of the project?

Answer. The 35 TCF of proven North Slope natural gas resources need to be committed to a project in order for any proponent to secure financing. The Alaska North Slope Producers—BP, ConocoPhillips, and Exxon—control 87.5% of those known resources. The producers have said they need four things in order to proceed with the permitting and construction of an Alaska gas pipeline:

1) Federal enabling legislation, which Congress passed in October, 2004;
2) Fiscal certainty from the State of Alaska;
3) Regulatory certainty in Canada; and
4) A determination that the project is commercially viable.

The Producers are proceeding sequentially in addressing these needs.

The 460 page negotiated agreement between the Producers and Governor Murkowski contains a number of provisions that are proving controversial to the Legislature and to Alaskans. Among those, critics have attacked provisions that require a complete rewrite of the State's oil production tax and then a freeze of that rate for 30 years, provide various subsidies to the Producers, and require the State to take its gas in-kind rather than in-value as well as sharing the construction risk of the project. Critics also attack what they consider to be the lack of firm work commitments in the contract.

Question 2. Do believe it is possible at this point for the State of Alaska to get a workable contract, one that will not hinder full utilization of the pipeline for all of the gas resource that is available?

Answer. Last week Governor Murkowski began to negotiate a number of significant changes to the agreement with the Producers. He identified provisions that need to be rewritten after an extensive public comment period and public meetings in every major population center in Alaska.

The Producers have publicly stated it will take them at least 30 days to collectively answer the Governor. In the meantime, the Legislature will begin further debate on the oil tax rewrite July 24. It is possible that the Governor and Producers will negotiate changes to the agreement that will make it acceptable to a majority of Alaskans and to the Legislature. In addition, the Federal Energy Regulatory Commission (FERC) has issued appropriate Open Season regulations, which will promote the full utilization of Alaska's natural gas resource.

Question 3. The Act grants you the authority to preclude federal agencies from insisting on permitting conditions that you find would prevent or significantly impair the expeditious construction and operation of the pipeline.

How do you envision exercising that authority procedurally?

Answer. If confirmed, I would expect to create a process under which the project applicant would have the right to appeal/petition the Federal Coordinator to intercede in a discretionary permitting action if the applicant, another agency, or another government entity, believes the Agency was insisting on permitting conditions that

"would prevent or significantly impair the expeditious construction and operation of the pipeline" as the enabling legislation dictates.

The process could then allow the Agency to respond, followed by a limited mediation process between the Agency and appellant with the Federal Coordinator as mediator. If agreement is not reached, the Coordinator may then exercise his or her authority to limit the Agency's conditions.

Question 4. Do you anticipate that there will be some type of public process, or do you view this authority as more of an interagency review process of which you are the final arbiter?

Answer. If confirmed, I would expect to lead a rulemaking process that will define the procedures used by the Office of the Federal Coordinator. The rulemaking process will include public comment periods.

Question 5. What do you believe are the differences between this position and the Federal Inspector of Construction position that was created in the Alaska Natural Gas Transportation Act in 1964?

Answer. The separate role of the Secretary of Energy with respect to the exercise of the functions and authorities of the Office of Federal Inspector (OFI) under the Alaska Natural Gas Transportation Act (ANGTA) and related legal authorities is abolished once these functions and authority are transferred to the Federal Coordinator pursuant to Section 106 of the Alaska Natural Gas Pipeline Act (ANGPA).

The specific functions and authority of the OFI, as prescribed in ANGTA and related executive decisions and orders, survive after appointment of the Federal Coordinator, and are to be exercised thereafter by the Federal Coordinator consistent with the statutory provisions of ANGTA and its implementing resolutions, regulations, and orders.

If any applicant submitted a proposal under ANGTA, the Coordinator has the authority to enforce terms and conditions upon the project applicant consistent with that Act. Under an ANGPA application, the Coordinator does not have that enforcement power. Under ANGTA, the Inspector is the lead agency for all purposes whereas, under ANGPA, the FERC is the lead agency for NEPA for the project.

RESPONSES OF DRUE PEARCE TO QUESTIONS FROM SENATOR BINGAMAN

Question 1a. The Federal Energy Regulatory Commission released a report last week, which said that "any further delays may serve to make the Alaska gas pipeline uneconomic in comparison to LNG imports," and that "Alaska is at risk of being marginalized in the search for new natural gas supplies for U.S. consumption."

Do you agree with FERC's assessment?

Question 1b. If confirmed, what steps will you take to advance the project?

Answer. I agree with the Federal Energy Regulatory Commission's assessment of the situation. If confirmed, I will advocate the development of the Alaska gas transportation project; develop a memorandum of understanding with the State of Alaska as required by the Alaska Natural Gas Pipeline Act; and work with the Government of Canada to ensure timely regulatory review and cooperation.

Question 2. What role have you played in your current job, as Senior Advisor to the Secretary of the Interior for Alaskan Affairs, in implementing the Alaska Natural Gas Pipeline Act?

Answer. As Senior Advisor to the Secretary of Interior for Alaska, my primary responsibility is to advise the Secretary of the Interior on the status of the project and to act as his designee as a participant in interagency discussions and in drafting the Federal Interagency Memorandum of Understanding, which was recently signed by all participating Departments and Agencies.

Question 3a. The Alaska Natural Gas Pipeline Act requires the Secretary of the Interior to "conduct a study of alternative approaches to the construction and operation" of the pipeline, including the possibility of having a government corporation build it.

Where does that study stand?

Question 3b. When might we expect to see the report called for by the Act?

Answer. Under the Alaska Natural Gas Pipeline Act, the Department of Energy (DOE) is responsible for producing the Alternative Means of Construction Study. It is my understanding that DOE has begun scoping work on the study, but a deadline for completion of the study has not been set. As provided in the statute, this study will remain the responsibility of the Department of Energy even after a Federal Coordinator has been appointed.

If confirmed, I will work with DOE to assess the current status of the report and will provide you and the Committee with an update.

RESPONSES OF JOHN RAY CORRELL TO QUESTIONS FROM SENATOR DOMENICI

Question 1. Mr. Correll, your entire professional career has been in mining as you noted in your statement. Nearly all of that time has been spent in positions both in industry and in government in the area of mine health and safety. However, you note in your testimony that you have worked on issues with the Office of Surface Mining and are familiar with the Surface Mining Reclamation and Control Act.

Could you please go into a little more detail about your direct experience in matters related to OSM?

Answer. At the time of enactment of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), I was employed at various surface mines in Indiana. I worked directly with Office of Surface Mining inspectors and staff to implement the new regulations. This included providing education and training for mine employees regarding the new requirements, as well as accompanying and assisting OSM inspectors while at the mine site.

Between 1980 and 1991, I provided SMCRA compliance guidance and technical assistance to operational and professional staff at surface mines managed by my employer.

I also provided senior leadership in coordinating several joint projects between MSHA and OSM during my employment at MSHA. There are a number of areas where OSM, State SMCRA regulatory authorities, and MSHA have coordinated interests. Issues related to miners' health and safety can and do coincide with OSM's charge to protect the public and the environment.

While I was at MSHA, I had the opportunity to participate in periodic technical coordination meetings that OSM and MSHA hold, and oversaw the development of a report to Congress which detailed OSM's and MSHA's responses to a National Academy of Science report issued in connection with the Martin County Coal Corporation's impoundment failure in Kentucky: MSHA and OSM have been working closely with the States to ensure that the best science and engineering are used to review and inspect coal mining impoundments. We have also worked to see that these responsibilities are carried out in a manner which meets MSHA's responsibility to protect miners and OSM's responsibility to protect the public and the environment.

There has also been extensive coordination in mapping underground mines. OSM and MSHA have worked together with the States to address the need for accurate, up-to-date, and readily available underground mine maps.

The two agencies have cosponsored, in conjunction with States and Tribes, a number of meetings and have been holding regular meetings to coordinate standards and approaches. The goal of these efforts has been the transfer of information and the development of data systems to protect miners, public health and safety, public and private infrastructure, and the environment from risks that may be associated with active or abandoned underground mines.

Question 2. What do you believe is the proper nexus between OSM and other federal agencies that regulate mining, such as MSHA, where you are currently serving?

Answer. I believe that all Federal agencies are responsible for identifying areas of over-lap with other agencies and for coordinating their various activities to achieve consistent regulation while minimizing overlap. There are numerous agency activities affecting coal mining where significant synergy exists. Such is the case with OSM and EPA and their state partners, as well as with MSHA, the Army Corps of Engineers, and other agencies within the Department of the Interior.

Establishing a professional relationship among the various agencies that is built on respect and open dialogue, while retaining the main focus on the respective missions, benefits government and the regulated community.

Question 3. What have you experienced in your four years at MSHA that you think will be most helpful to you at OSM?

Answer. In my years at MSHA, I have gained a real appreciation for how the Federal government works, including the interaction among various bureaus and Departments within the executive branch, the role of Congress in oversight, the Federal budget process, and the perspective of regulating agencies.

I also gained affirmation that outreach to the various stakeholders in the form of alliances, partnerships, and technology transfer initiatives plays a critical role in effective government.

Question 4. A large part of what you will be doing is related to environmental issues. What career experiences have you had that you believe qualifies you to make policy decisions regarding such issues?

Answer. My undergraduate studies resulted in a Bachelor of Science degree in Safety and Environmental Management. My entire professional career has been devoted to loss prevention applied to mining. This broad discipline focuses on preser-

vation of human and physical assets in the work environment. Loss prevention includes safety and health, as well as education/training, environmental, and loss control (physical assets, etc.).

Beyond my technical expertise, I have had significant experience in senior management and leadership roles, both in the private sector and the Federal government. I also have worked with OSM on issues where our two offices have coordinated activities, such as reviewing policies and standards for impoundments.

As the Director, I would draw on my technical skills and knowledge, and management and leadership skills to make required policy decisions, to ensure compliance with all laws, rules, and regulations, and to afford appropriate assistance to and oversight of States and Tribes.

Question 5. Under the Surface Mining Reclamation and Control Act, the Authority of the States is central to the operation of the Act.

Please explain your understanding of this important principle and the state/federal partnerships that grow out of it.

Answer. Congress recognized the unique needs and environmental conditions of the States and encourages them to enact and administer their own regulatory programs within Federal minimum standards. OSM's role is to establish policy direction, give guidance and technical assistance to the States and Tribes, conduct oversight in accordance with SMCRA, and provide backup enforcement.

Question 6. How do you envision fostering these partnerships and ensuring they work as intended under the Act?

Answer. If confirmed, I intend to reach out to our State and Tribal partners in implementing the Act.

I will work diligently with States and Tribes to build upon the Administration's emphasis on technology to achieve stable and effective programs under the Act.

Question 7. In what ways do you think the federal government could better assist the States in regulating mining and reclamation?

Answer. The States themselves are best able to answer this question. The OSM has a tradition of strong partnership with the States and Tribes. I am committed to continuing that relationship and building upon it. If confirmed, I will work with States and Tribes to respond to their needs and to ensure that they receive support and assistance from the OSM.

Question 8. Reauthorization of the Abandoned Mine Lands program continues to be an important, but thorny problem facing the Congress. Unfortunately, the clean-up of abandoned mines has become linked with miners' health benefits.

I'm interested to know what you see as the best approach to attempt to solve the inequities that some States see in the program.

Answer. I believe this is a national problem that requires a comprehensive long-term solution. The program must find a way to balance the needs of both eastern and western states. If confirmed, I commit to working with this Committee and other affected Members of Congress as we try to resolve this issue.

Question 9. How do you envision working with Congress, the States, and other parties to find an acceptable solution?

Answer. If confirmed, I would strive to serve as a facilitator among all stakeholders, working within the Administration's principles to achieve an appropriate, fiscally responsible, and fair long-term resolution to the reauthorization discussion.

RESPONSES OF JOHN RAY CORRELL TO QUESTIONS FROM SENATOR BINGAMAN

Question 10. Congressman Rahall has said that you were part of the leadership of the Mine Safety and Health Administration "during a time when the policy floor fell out," and "during the worst rash of coal miner fatalities in recent times." In addition, the United Mine Workers has written that, under your direction, 17 proposed safety rules were withdrawn and MSHA approved a rule on the use of belt air, which may have contributed to the Alma mine accident earlier this year.

Please respond to these statements.

Specifically, please explain what role, if any, you played in delaying or withdrawing each of the health and safety rules identified in the Appendix to the Review of Federal Mine Safety and Health Administration's Performance from 2001 prepared by the Democratic Staff of the House Committee on Education and the Workforce earlier this year.

Answer. I had no role in the rules referenced in the appendix with the exception of the last rule deals with diesel particulate matter. While I participated in that rule making, it was not finalized before I started my detail.

According to the dates given in the report, thirteen (75%) of these were withdrawn during the year prior to my employment with MSHA. Four of the remaining five proposed rules wee withdrawn less than 60 days following my hire date.

I did not engage in any discussion or participate in any decision regarding a proposed rule on the use of belt air during my employment with MSHA.

Question 11a. The United Mine Workers has also said that you were linked to the award of single-source, no-bid contracts, which the Department of Labor's Inspector General later found to have been improper.

What involvement, if any, did you have in the procurement problems identified by the Inspector General in his October 29, 2004 report?

Answer. The Department of Labor's Inspector General (IG) Office of Audit conducted an audit of MSHA procurement and contracting practices for the period June 2000 through December 2002. The objective of the audit was to determine if allegations of fraud, waste, or abuse received during the period from May 2002 through May 2003 involving procurement of office furniture, travel management services, purchase card usage, computer security, and personnel issues had merit.

My only involvement in the IG's audit resulted from the fact that while employed in the private sector I was a member of the International Society of Mine Safety Professionals where I was elected to serve as an executive board member and also as the executive director. Both were voluntary, non-paid positions with the not-for-profit organization.

During the year prior to my employment with MSHA, a contractor (also a member of the professional society) had received compensation to provide training necessary to certify MSHA employees as Certified Mine Safety Professionals. The IG audit examined the financial arrangements for the training, as well as my position with the Society and subsequent employment with MSHA, and concluded that there had been no conflict of interest or wrong-doing of any sort on my part.

I was not implicated in any other aspect of the IG audit.

Question 11b. Specifically, please identify each of the incidents listed in the table on pages 1 and 2 of the Inspector General's report with which you were involved.

Answer. Items 2 & 3 on the table shown on page 1 are discussed above. I was not implicated in any manner in any of the other items listed on the two tables.

Question 12. What role did you play in the disciplinary actions taken against an MSHA whistleblower named Jack Spadaro? Did Mr. Spadaro's complaints about the agency's handling of the Martin County accident investigation play any role in the personnel actions taken against him?

Answer. In October 2003, the Department proposed the removal of Mr. Jack Spadaro, then Superintendent of MSHA's Mine Health and Safety Academy located in Beckley, West Virginia. Since I was a senior official outside the chain of command and had no knowledge of Mr. Spadaro, I was designated as the deciding official in this matter.

Based on the information before me, I sustained all five charges against Mr. Spadaro and, with advice of Department of Labor counsel, applied the "Douglas Factors" to mitigate Mr. Spadaro's termination to a demotion. Mr. Spadaro's complaints concerning the Martin County investigation played no role in my decision. The matter was thoroughly investigated by the Office of Special Counsel, which made a preliminary determination against Mr. Spadaro. Mr. Spadaro then filed a complaint with the Merit Systems Protection Board, which also made a preliminary finding against him. Based on widespread public reports, it is my understanding that ultimately Mr. Spadaro withdrew his complaint and retired pursuant to a settlement agreement.

Question 13. What is your current position within the Mine Safety and Health Administration and why were you detailed or reassigned to other duties?

Answer. I continue to hold the Deputy Assistant Secretary—Operations position in the Mine Safety and Health Administration while I remain on temporary assignment within the Department of Labor. I became the DAS—Ops on July 22, 2002. This is a career Senior Executive Service position.

On May 31, 2005, the Department of Labor moved me to a temporary detail assignment within the Department's Employment Standards Administration to assist in the implementation of the Energy Employees Occupational Illness Compensation Program. This program had been moved to the Department of Labor from the Department of Energy a few months earlier. I was assigned to this job because of my extensive background in mining and disability compensation claims management. While working with the Director's Part E Task Force, I was responsible for developing a number of program components including an exposure matrix for identifying and classifying more than 4,000 uranium mines and developing several claim management policies and procedures.

In January, 2006, I was detailed (while still holding the DAS position at MSHA) as a Special Assistant to the Office of Assistant Secretary for Administration and Management. Based on my project management experience, I was assigned to provide guidance and leadership in reviewing the Department's Safety and Health pro-

gram elements, and to further develop the President's Safety, Health and Return-to-Employment (SHARE) initiative. I have also assisted the Assistant Secretary by providing project management on several key policy projects, as well as other administrative projects for the Department, including HSPD-12 and several E-Initiatives.

RESPONSES OF MARK D. MYERS TO QUESTIONS FROM SENATOR DOMENICI

Question 1. Dr. Myers, your statement indicates a high degree of familiarity and experience with USGS. Based on these experiences, what is your vision for improving the USGS?

Answer. If confirmed, I will come to USGS believing deeply in its mission and committed to ensuring that the agency continues to live up to its promise of providing sound science for citizens and decision makers. The following are the principles that I will use in striving to maintain and improve the agency's effectiveness in fulfilling its mission.

1. First and foremost, ensure that the high internal standards and ethics of USGS are maintained. It is paramount that the science is truly unbiased and accurate, that the data and analyses are publicly available, and that publications are subject to a rigorous peer-review process.
2. Robust planning will help the organization stay focused on core missions and key issues of national importance where science is needed. Good science takes time and requires both focus and anticipation of the issues. Active workforce planning will allow USGS to look toward the future and focus resources on its core mission responsibilities.
3. Maximize the use of advanced technology and the best available data. New technology (for example GIS and 3-D and 4-D seismic) is revolutionizing the biological and earth sciences. The USGS needs to assure it has the people, equipment and data to apply these leveraging technologies.
4. Increase USGS's use of highly skilled multidisciplinary teams to approach projects. One of the strengths of USGS is that it has both world class specialization and breadth that can be brought to bear.
5. Build on the continuing efforts for collaboration and consultation with sister organizations, resource managers, and regulators on the international, national, State, and local levels.
6. Continue to improve communications internally as well as externally.

WATER ISSUES

Question 2. Population growth, endangered species demands and frequent drought have resulted in a paucity of water in the west. In order to make informed decisions about this limited resource, we need to have the best scientific information available.

In general, do you believe that we have an adequate understanding of our water resources?

Answer. I believe that we need to do more to improve our understanding of water resources and that much has changed over time—demand and competition for water have increased, new sources and technologies have been developed, and in some areas, resources have been depleted or contaminated. Better knowledge is needed to help Federal, State, and local governments, the private sector, and the public plan for the future.

Question 3. What do you believe the USGS's role should be in addressing water availability problems?

Answer. I believe that USGS has an important role to play in addressing water availability issues. Reliable, impartial, long-term monitoring and assessment of water resources by USGS provides the science needed by the public and decision-makers to assess water availability, understand drought and its impact on water supply, and manage the use of water resources responsibly.

From my perspective, we do not have an adequate understanding of our groundwater resources. In many instances, communities that are completely reliant on groundwater do not have a sense of how long these resources will last. Additionally, many western states have vast brackish water resources contained in underground aquifers. In order to assess the viability of using this brackish water, we need a better understanding of these aquifers, particularly as desalination becomes more affordable.

Question 4. If confirmed, how would you expand our knowledge of underground water resources?

Answer. I recognize the value of USGS science as it applies to understanding groundwater resources. If confirmed, I will ensure easy access to existing scientific information regarding groundwater availability in the Nation's major aquifer systems. I will also strive to maintain and strengthen our partnerships with sister State and local agencies involved with water research.

Question 5. What role do you believe the USGS should play in identifying which aquifers may be suitable for desalination?

Answer. I believe USGS has an important role in providing the unbiased science needed to help resource managers address issues associated with desalination of brackish groundwater, including assessments of the reservoirs and their water chemistry.

Question 6. What are the major ground water related challenges facing the nation in the next decade and what role should the USGS play in addressing these issues?

Answer. Sustainable development of groundwater is vital to the economic life of communities, businesses, households, and farmers nationwide. We must be mindful, also, that how the resource is developed will have impacts on communities, ecosystems, and the amount and quality of water available to future generations. The USGS should continue to make major contributions to groundwater science and characterization of the resource including modeling, monitoring, assessment, and process research that helps others develop strategies to optimize use of this valuable resource in a sustainable manner.

Aquifer re-injection and storage is a promising way to increase the water available to the West. In many instances, aquifer storage minimizes evaporative loss and does not have the environmental impact associated with surface storage. Additionally, it is unclear whether there are significant opportunities for new surface storage.

Question 7. What role do you believe the USGS should play in investigating the feasibility of aquifer re-injection and storage?

Answer. I understand that USGS is developing and applying new methods to assess and monitor aquifer re-injection, storage, and recovery, as well as investigating the role of geochemistry and microbial activity in storage and recovery. I believe USGS should continue this role.

Question 8. In your opinion, is aquifer storage something that should be investigated on a more widespread basis?

Answer. Yes. Aquifer recharge for storage was initially considered in coastal and and parts of the United States, but its use is now envisioned throughout the United States as the competition for water increases. The USGS has provided and should continue to provide data and other scientific analysis which will help decisionmakers and the public understand groundwater resources.

Question 9. What do you see as main challenges for aquifer storage and what role can USGS play in meeting these challenges?

Answer. The USGS has a solid reputation in scientific investigations of artificial recharge and continues to develop innovative monitoring techniques and groundwater modeling to address the challenges of artificial recharge. Major challenges for aquifer storage include effects on aquifer chemistry and the long-term efficiency of injection/withdrawal cycles.

Question 10. How do you plan to identify the gauges most in need of repair and prioritize maintenance of these facilities?

Answer. USGS streamgages across the Nation have many purposes, including protecting lives and property during floods, designing infrastructure, assessing and managing water resources, and measuring interstate compact obligations. If confirmed, I would work with USGS experts to determine and prioritize the extent of the backlog of needs for maintenance and upgrade of these monitoring systems. I would ask USGS to work closely with the States and other users of the information to set priorities based on uses of the data that these systems provide.

Question 11. In an era of tight budget constraints, how can the nation maximize its investment in surface water and ground water monitoring to address pertinent scientific and policy questions?

Answer. I believe that partnerships (between the Federal Government and the States, localities, Tribes and others that use surface and groundwater data) are the answer to maximizing the Nation's investment in surface-water and groundwater monitoring. If confirmed, I will work with USGS to continue to explore a wide range of technologies, institutional arrangements, and partnerships to determine if there are more cost-effective approaches to surface-water and groundwater monitoring than those currently being used. The USGS should also work to develop, test, and introduce new technologies that will allow for cost reductions.

Question 12. What do you believe is the appropriate role for the federal government, state government and the private sector in collecting and analyzing water monitoring data?

Answer. Because all communities and many industries rely on water, information about water quantity and quality is valuable for many different types of users—cities, irrigation districts, recreational, emergency managers, Federal and State water management agencies, and others. The provision of drinking water is a State and local function, and this certainly creates strong incentives for the States and sometimes private sector to play a strong role in water research and monitoring. However, especially in areas of water scarcity, or areas that are experiencing a drought, there are often conflicting interests that water managers must balance in making resource allocation decisions. Sometimes, the interests that are being balanced involve parties from different towns or even different States or regions of the country. Watershed and aquifer boundaries do not correspond with political boundaries, and in this environment a neutral scientific agency that can provide accurate data is invaluable for ensuring informed decision making. The USGS has a long history of providing unbiased water data that all parties accept. The USGS has played a constructive role for all States as a major source of water information for over 100 years, and I believe it is appropriate for it to continue to do so in the future.

RESPONSES OF MARK D. MYERS TO QUESTIONS FROM SENATOR BINGAMAN

Question 13. The Department has historically played a principle role in ensuring we, as a nation, understand the extent and availability of minerals found on federal lands.

Through years of neglect and indifference we have been gutting or dismantling the very agencies that provide this basic information about our nation's mineral and geologic resources. This Administration has continued this trend with the budget request we received for 2007. The Senate has once again restored the funding for these critical programs, but I am worried that the administration will continue down this path.

I am deeply concerned about how we address the mineral needs of the nation. The USGS is responsible for collecting and reporting on the mineral resources for the nation.

What do you consider to be the Department's mission in advancing the knowledge and use of valuable mineral resources from Federal Lands?

Answer. The USGS Mineral Resources Program provides important scientific information for objective resource assessments and unbiased research results on mineral potential, production, and consumption on Federal lands. Understanding and exploring the Nation's mineral potential is an important component of the Organic Act for the USGS. Coming from a State that has a long history in mining, I am well aware of the importance of this data.

Question 14. Land management agencies make land use allocation decisions every day. How would informed decisions be made if basic mineral information is not available?

Answer. The Mineral Resources Program comprises two major functions; first, a research and assessment function provides information for land managers and decision makers about where mineral commodities are known and suspected in the Earth's crust, and second, a data collection, analysis, and dissemination function describes current production and consumption of about 100 mineral commodities. This information helps land management agencies make many vital decisions about their holdings and fulfill their stewardship responsibilities. Decision-making in certain areas would be much more difficult without a readily available source of this information.

Question 15. Would you be prepared to assist this committee in reviewing and prioritizing USGS programs?

Answer. I would be pleased to work with the committee on these matters.

Question 16. The current administration has been criticized for manipulating, suppressing, or disregarding scientific information. If confirmed to head one of the Interior Department's premier scientific organizations, what steps would you take to protect the integrity of the scientific work of the Geological Survey?

Answer. I believe the integrity of the science that USGS produces is its most important asset. If confirmed, I intend to do all I can to continue that legacy. I have been informed that USGS recently revised its manual to deal with Fundamental Science Practices such as peer review, conducting data collection and research, and ensuring that accurate information is disseminated to the public in a timely fashion. If confirmed, I intend to carefully review the Fundamental Science Practices and ensure that USGS's reputation for high quality unbiased science continues.

Question 17. What steps will you take to ensure that quality assurance problems like those that arose in the work that the USGS performed on the Yucca Mountain nuclear waste repository for the Department of Energy are never repeated?

Answer. Although I do not know all the details of the Yucca Mountain matter, I am informed that USGS recently conducted a meeting, "Quality Assurance and Employee Ethical Conduct Focus Days," for employees working on the Yucca Mountain Project. Senior management's substantive involvement in this meeting demonstrates the seriousness and importance of the issues. If confirmed, I will stress that the highest ethical standards must be maintained to ensure that all USGS programs deliver high quality, dependable work products. Throughout my professional career, I have had the utmost respect for the employees of USGS, and confidence in the integrity of their work.

Question 18. What do you see as the most urgent scientific questions facing the USGS today?

Answer. I believe that the most urgent scientific questions facing USGS are those where the research can make a positive difference in our human condition and interface with the natural world. Although the importance of various areas of research may vary by State or region, some are universal, such as energy, water, natural hazards, climate, landscape change, biodiversity, and ecosystems. If confirmed, I look forward to consulting with both USGS scientists and our stakeholder groups and I will listen carefully to the answers they give in response to questions similar to yours.

Question 19. How will you establish priorities among competing programs and maximize the USGS's contribution to scientific understanding?

Answer. If confirmed, I plan to listen carefully to the dedicated employees of USGS and the agency's many partners, cooperators, and constituencies. In today's era of tight budgets, I am sure there will be many difficult decisions to make, but that is part of what executive leadership is about, and I am confident that I can make those decisions while maximizing USGS contributions to scientific understanding. I am told that USGS has formed a Science Strategy Team that is looking at science priorities for the next decade, and I hope that this Team will provide valuable insights that will assist with the prioritization process.

APPENDIX II

Additional Material Submitted for the Record

NATIONAL SAFETY COUNCIL,
Itasca, IL, July 18, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATORS DOMENICI AND BINGAMAN: It is my pleasure to write in support of the nomination of Mr. John R. Correll for the position of Director, Office of Surface Mining, United States Department of Interior. The National Safety Council has had a long and rewarding relationship with Mr. Correll, particularly in his capacity as a leading federal official whose activities have impacted the mining industry and thousands of men and women who work in America's mines.

Mr. Correll has been a conscientious leader making positive contributions in workplace safety and health practices while at the Department of Labor and the Mine Safety and Health Administration, as well as in his extensive responsibilities in the private sector. His experience reflects extraordinary dedication to both his employers and assignments and an extensive knowledge of the coal mining industry, an exceptional asset for this position.

Above all, his character, allegiance and integrity are without question. Our organizational connections as well as personal interactions have frequently confirmed these attributes. We are confident that Mr. Correll will be an asset to the Department of Interior and the nation. We look forward to his successful confirmation by your committee and the United States Senate.

Thank you for considering my comments. Please feel free to contact me if you have any questions or need additional information.

Sincerely,

ALAN C. MCMILLAN,
President and Chief Executive Officer.

UNITED MINE WORKERS OF AMERICA,
Fairfax, VA, July 19, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR DOMENICI: I am writing to express my deep concern about the pending nomination of John It. Correll for the position of Director of the Office of Surface Mining and Reclamation (OSM).

The Committee on Energy and Natural Resources should closely examine Mr. Correll's performance at the Mine Safety and Health Administration (MSHA), where he served as a Deputy Assistant Secretary of Labor. Under Mr. Correll's direction, 17 proposed regulations were pulled from MSHA's regulatory agenda, a number of which could have helped to prevent some of the 34 coal mine fatalities that have occurred this year. Under his misguided leadership, MSHA approved a regulation permitting the use of belt air to ventilate working faces of underground mines, a move that may have contributed to the two fatalities at the Alma # 2 mine in West Virginia earlier this year.

In addition, Mr. Correll has been linked to a contracting scandal that occurred on his watch. The Department of Labor's Office of Inspector General determined

that MSHA violated federal procurement procedures by wrongfully awarding single-source, no-bid contracts. Two companies involved had alleged ties to John Correll. One of these contracts, totaling $200,000 for educational training, had been recorded at MSHA as just 180 small contract& In light of his record, it is ironic that when announcing his nomination, OSM touted his responsibility for the management of all aspects of MSHA.

The United Mine Workers of America (UMWA), the largest labor union representing coal miners in this country, has a long history of representing the interests of not only coal miners on the job but also the communities in which they live across the country. Just as coal miners need an advocate for health and safety at MSHA, residents of coal field communities deserve an advocate at OSM whose first priority is to enforce our nation's surface mining and reclamation laws.

Mr. Correll has clearly demonstrated at MSHA that his priorities are instead to promote the interests of the mining industry and his friends. His nomination should be rejected by the Committee.

Sincerely yours,

CECIL E. ROBERTS,
International President.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATORS DOMENICI AND BINGAMAN: This letter is too express opposition to the nomination of John Correll. His past record as follows shows why he would not be good for the job. We need enforcement of the laws.

Correll was a Deputy Assistant Secretary of Labor and responsible for the day-to-day management of the Mine Safety& Health Administration for five years. During his tenure the total number of federal mine health and safety inspectors was reduced by 217. This resulted in far fewer inspections in both coal mines and metal and non-metal mines nationwide. MSHA has not been able to meet the mandated number of inspections per year [4 for every underground mine and 2 for every surface mine]. The inspection program has collapsed. The result has been a record number of fatalities in the nation's mines during the first six months of 2006. Correll was such an inept administrator that he was essentially buried in the Dept. of Labor by David Dye, the current Acting Asst. Secretary for MSHA.

Correll was instrumental in the shelving of 17 new mine health and safety rules that had been proposed by the previous administration. One of those rules would have improved requirements for flame resistance in materials used in mine conveyor belts. Had the rule been in effect, the February 2006 fire at the Aracoma Mine in Logan County, WV resulting in two fatalities would not have occurred.

Correll supported a drastic rule change in 2004 that allowed intake air to be brought into underground mines through conveyor belt entries. This rule change greatly increased the probability that miners would be trapped in by mine fires in belt entries. That is exactly what happened at both the Sago Mine disaster and the Aracoma mine fire. The use of belt entries for intake air previously had been forbidden by MSHA rules since the early 1970s.

Correll was the CEO for an organization called the International Mine Safety Professionals. One of his associates was Ben Shepherd. Ben Shepherd got an illegal sole source contract from MSHA to conduct training for MSHA supervisors. Shepherd charged the agency $1025/student. He shared the profits with the International Mine Safety Professionals. The agency issued 180 individual contracts to avoid detection for violating federal procurement rules. The scam was publicly exposed. The Office of Inspector General investigated and concluded that the contracts were illegal. Correll continued as CEO for the International Society for months after coming to work for MSHA. This scam was also reported on "60 Minutes" on April 4, 2004.

Correll participated in the cover-up regarding the Martin County Coal Slurry Spill [Massey Energy] of October 2000. This was the 300 million gallon coal slurry discharge that polluted 100 miles of streams in Eastern Kentucky and WV. EPA called it the worst environmental disaster in the eastern U.S. Correll was the overseer of the internal MSHA review that should have exposed MSHA's prior knowledge of the unsafe conditions at the coal waste impoundment. Instead, the report left MSHA blameless and was limited in scope by Correll and his boss Dave Lauriski. Correll also was a key player in the retaliation efforts by MSHA against the whistle-blower

who exposed the cover-up. This was also detailed in the "60 Minutes" program of April 4, 2004, as well as in the New York Times and other newspapers.
(Information provided by Jack Spadaro)

Lexington Herald-Leader editorial on Correll's nomination: Posted on Friday, May. 19, 2006

EDITORIAL: THROW HIM BACK

Nominee bad choice to oversee strip-mining

One of the industry apologists who rolled back mine-safety protections is President Bush's choice to head the agency that oversees strip-mining.

Unbelievable, but true.

Thousands of Kentuckians depend on the U.S. Office of Surface Mining to protect them from strip-mining's worst abuses, including blasting that destroys their property, road building that sends boulders crashing down on homes and poisonous runoff into streams and groundwater.

Nothing in John Correll's tenure at the Mine Safety and Health Administration, where he was one of Dave Lauriski's two top deputies, recommends him for this appointment.

Just the opposite.

Correll is loaded with the kind of baggage that should block his confirmation in the Senate, especially after recent mine disasters raised serious questions about MSHA's performance.

Correll was part of the leadership team that axed safety rules that would have beefed up mine rescue teams and required flame-resistant conveyor belts, changes that might well have saved miners' lives in recent months.

Bush appointees at MSHA changed the agency's focus from enforcement to working with the industry.

They withdrew or delayed 18 mine-safety rules, including an increase in emergency breathing devices, requiring manufacturer expiration dates on the devices and more frequent inspectors.

The lone survivor of the Sago mine disaster, where 12 men perished, has said that some of the trapped miners couldn't make their breathing devices work.

But even without those life-and-death issues, Correll would be a questionable person to head the agency that's responsible for protecting Appalachia's water, land and private property from damage by strip mining and mountaintop removal.

Like so many Bush appointees, he came straight from the industry he was supposed to regulate. At MSHA, he was part of a small band of cronies whose involvement in awarding single-source contracts drew criticism from an inspector general.

Lauriski's successor at MSHA, David Dye, apparently banished Correll to the bowels of the Labor Department. But that reality was not reflected in Acting Interior Secretary Lynn Scarlett's announcement of his nomination. Her announcement implies that he's still working as MSHA's head of operations.

Thank-you,

TERI BLANTON,
Berea, KY.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: John Correll's record make him a bad choice to head the U.S. Office of Surface Mining, Reclamation and Enforcement. As you know, the OSM's primary objectives are to ensure that coal mining activities are conducted in a manner that protects citizens and the environment during mining, to ensure that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

Because of his record, I believe Mr. Correll cannot fulfill these duties. Please oppose his nomination to this post. Note that:

- Mr. Correll was a Deputy Assistant Secretary of Labor and responsible for the day-to-day management of the Mine Safety and Health Administration for five years. During his tenure the total number of federal mine health and safety inspectors was reduced by 217. This resulted in far fewer inspections in both coal

mines and metal and non-metal mines nationwide. MSHA has not been able-to meet the mandated number of inspections per year (4 for every underground mine and 2 for every surface mine). The inspection program has collapsed. The result has been a record number of fatalities in the nation's mines during the first six months of 2006.

- Mr. Correll was instrumental in the shelving of 17 new mine health and safety rules that had been proposed by the previous administration.
  One of those rules would have improved requirements for flame resistance in materials used in mine conveyor belts. Had the rule been in effect, the February 2006 fire at the Aracoma Mine in Logan County, W.Va. resulting in two fatalities would not have occurred.
- Mr. Correll supported a drastic rule change in 2004 that allowed intake air to be brought into underground mines through conveyor belt entries. This rule change greatly increased the probability that miners would be trapped in by mine fires in belt entries. That is exactly what happened at both the Sago Mine disaster and the Aracoma mine fire. The use of belt entries for intake air previously had been forbidden by MSHA rules since the early 1970s.
- Mr. Correll was the CEO for an organization called the International Mine Safety Professionals. One of his associates was Ben Shepherd. Ben Shepherd got an illegal sole source contract from MSHA to conduct training for MSHA supervisors. Shepherd charged the agency $1025/student. He shared the profits with the International Mine Safety Professionals. The agency issued 180 individual contracts to avoid detection for violating federal procurement rules. The scam was publicly exposed. The Office of Inspector General investigated and concluded that the contracts were illegal. Correll continued as CEO for the International Society for months after coming to work for MSHA.
  This scam was also reported on "60 Minutes" on April 4, 2004.
- Mr. Correll participated in the cover-up regarding the Massey Energy Martin County Coal sludge disaster of October 2000. 6 million gallons of coal sludge polluted 100 miles of streams in Eastern Kentucky and West Virginia. EPA called it the worst environmental disaster in the eastern U.S.

Correll was the overseer of the internal MSHA review that should have exposed MSHA's prior knowledge of the unsafe conditions at the coal waste impoundment. Instead, the report left MSHA blameless and was limited in scope by Correll and his boss Dave Lauriski. Correll also was a key player in the retaliation efforts by MSHA against the whistle-blower who exposed the cover-up. This was also detailed in the "60 Minutes" program of April 4, 2004, as well as in the New York Times and other newspapers.

Again, please oppose Mr. Correll's nomination to head OSM. Thank you for your consideration.

Sincerely,

JOELLEN SBRISSA, CSJ,
Chicago, IL.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: In considering Mr. John Correll's nomination to head the Office of Surface Mining, Reclamation and Enforcement, I urgently and very strongly urge you to critically and thoroughly review his record, not only his proven disregard for mine workers' safety, but also his ties to a scam and proven illegal practices regarding federal procurement rules when he was the CEO of the International Mine Safety Professionals.

For years, hard-working miners' safety and the reclamation of the environment from mining devastation have both been a sham. During this time, many bureaucrats have been worthless. But with Mr. Correll in charge, he would be more than an embarrassment; he would be downright dangerous. He must be rejected, for the benefit of the coal industry as well as for our nation.

Mr. Correll also has been irrefutably linked to brazen environmental atrocities in the eastern coalfields. As a lackey for the coal industry, he would be a detriment and indeed an endangerment not only to coal miners and the environment, but to 1 million Americans in the 18,500-mile coalfields of West Virginia, Kentucky, Vir-

ginia, Tennessee, and Pennsylvania. I could go on ad infinitum about this man's despicable record.

The safety of our nation's coal miners already has been compromised during the past five years, as evidenced by the increase in mining accidents and fatalities. Some of the deceased miners' blood is on Mr. Correll's hands, and I shudder to think how it would splatter across a broader political swath with Mr. Correll at the helm.

Sincerely,

BUD FULTZ,
Tampa, FL.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: As a West Virginia resident and career environmental manager I am deeply concerned about the nomination of John Correll to head the U.S. Office of Surface Mining, Reclamation and Enforcement. The OSM's primary objectives are to ensure that coal mining activities are conducted in a manner that protects citizens and the environment during mining, to ensure that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines. But Mr. Correll's record indicates that he is poorly suited to ensure that these goals are met, and his confirmation would seriously jeopardize the integrity of the office that he is nominated for. I therefore ask that you oppose his nomination to this post.

Please note that:

Mr. Correll has proved lax in his enforcement of relevant laws.

During his tenure as a Deputy Assistant Secretary of Labor (during which he was responsible for the day-to-day management of the Mine Safety and Health Administration) the total number of federal mine health and safety inspectors was reduced by 217. This resulted in far fewer inspections in both coal mines and metal and nonmetal mines nationwide. MSHA has not been able to meet the mandated number of inspections per year (4 for every underground mine and 2 for every surface mine). The inspection program has collapsed. The result has been a record number of fatalities in the nation's mines during the first six months of 2006.

Mr. Correll has shown little interest in improving mine safety.

He was instrumental in the shelving of 17 new mine health and safety rules that had been proposed by the previous administration. One of those rules would have improved requirements for flame resistance in materials used in mine conveyor belts. Had the rule been in effect, the February 2006 fire at the Aracoma Mine in Logan County, W.Va. resulting in two fatalities would not have occurred. In fact, moving in the opposite direction, he supported a drastic rule change in 2004 that allowed intake air to be brought into underground mines through conveyor belt entries. This rule change greatly increased the probability that miners would be trapped in by mine fires in belt entries. That is exactly what happened at both the Sago Mine disaster and the Aracoma mine fire. The use of belt entries for intake air previously had been forbidden by MSHA rules since the early 1970s.

Mr. Correll has already been associated with scandal and conflicts of interest.

Mr. Correll was the CEO for an organization called the International Mine Safety Professionals. One of his associates was Ben Shepherd. Ben Shepherd got an illegal sole source contract from MSHA to conduct training for MSHA supervisors. Shepherd charged the agency $1025/student. He shared the profits with the International Mine Safety Professionals. The agency issued 180 individual contracts to avoid detection for violating federal procurement rules. The scam was publicly exposed. The Office of Inspector General investigated and concluded that the contracts were illegal. Correll continued as CEO for the International Society for months after coming to work for MSHA. This scam was also reported on "60 Minutes" on April 4, 2004.

Mr. Correll has also been implicated in the cover-up regarding the Massey Energy Martin County Coal sludge disaster of October 2000, in which six million gallons of coal sludge polluted 100 miles of streams in Eastern Kentucky and West Virginia.

EPA called it the worst environmental disaster in the eastern U.S. Correll was the overseer of the internal MSHA review that should have exposed MSHA's prior knowledge of the unsafe conditions at the coal waste impoundment. Instead, the report left MSHA blameless and was limited in scope by Correll and his boss Dave Lauriski. Correll also was a key player in the retaliation efforts by MSHA against the whistle-blower who exposed the cover-up. This was also detailed in the "60 Minutes" program of April 4, 2004, as well as in the New York Times and other newspapers.

Again, please oppose Mr. Correll's nomination to head OSM. Thank you for your consideration.

Sincerely,

MELEAH HOUSEKNECHT,
Morgantown, WV.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: John Correll's record make him a bad choice to head the U.S. Office of Surface Mining, Reclamation and Enforcement. As you know, the OSM's primary objectives are to ensure that coal mining activities are conducted in a manner that protects citizens and the environment during mining, to ensure that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

Because of his record, I believe Mr. Correll cannot fulfill these duties. Please oppose his nomination to this post.

Note that:

- Mr. Correll was a Deputy Assistant Secretary of Labor and responsible for the day-to-day management of the Mine Safety and Health Administration for five years. During his tenure the total number of federal mine health and safety inspectors was reduced by 217. This resulted in far fewer inspections in both coal mines and metal and non-metal mines nationwide. MSHA has not been able to meet the mandated number of inspections per year (4 for every underground mine and 2 for every surface mine). The inspection program has collapsed. The result has been a record number of fatalities in the nation's mines during the first six months of 2006.
- Mr. Correll was instrumental in the shelving of 17 new mine health and safety rules that had been proposed by the previous administration. One of those rules would have improved requirements for flame resistance in materials used in mine conveyor belts. Had the rule been in effect, the February 2006 fire at the Aracoma Mine in Logan County, W.Va. resulting in two fatalities would not have occurred.
- Mr. Correll supported a drastic rule change in 2004 that allowed intake air to be brought into underground mines through conveyor belt entries. This rule change greatly increased the probability that miners would be trapped in by mine fires in belt entries. That is exactly what happened at both the Sago Mine disaster and the Aracoma mine fire. The use of belt entries for intake air previously had been forbidden by MSHA rules since the early 1970s.
- Mr. Correll was the CEO for an organization called the International Mine Safety Professionals. One of his associates was Ben Shepherd. Ben Shepherd got an illegal sole source contract from MSHA to conduct training for MSHA supervisors. Shepherd charged the agency $1025/student. He shared the profits with the International Mine Safety Professionals. The agency issued 180 individual contracts to avoid detection for violating federal procurement rules. The scam was publicly exposed. The Office of Inspector General investigated and concluded that the contracts were illegal. Correll continued as CEO for the International Society for months after coming to work for MSHA. This scam was also reported on "60 Minutes" on April 4, 2004.
- Mr. Correll participated in the cover-up regarding the Massey Energy Martin County Coal sludge disaster of October 2000. 6 million gallons of coal sludge polluted 100 miles of streams in Eastern Kentucky and West Virginia. EPA called it the worst environmental disaster in the eastern U.S. Correll was the

overseer of the internal MSHA review that should have exposed MSHA's prior knowledge of the unsafe conditions at the coal waste impoundment. Instead, the report left MSHA blameless and was limited in scope by Correll and his boss Dave Lauriski. Correll also was a key player in the retaliation efforts by MSHA against the whistle-blower who exposed the cover-up. This was also detailed in the "60 Minutes" program of April 4, 2004, as well as in the New York Times and other newspapers.

Again, please oppose Mr. Correll's nomination to head OSM.

Thank you for your consideration.

Sincerely,

SUSAN WRIGHT,
Pax, WV.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: John Correll's record makes him a bad choice to head the U.S. Office of Surface Mining, Reclamation and Enforcement.

Sincerely,

DANIEL WRIGHT,
Pax, WV.

HOOSIER ENVIRONMENTAL COUNCIL,
Indianapolis, IN.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: This is to urge your committee to reject the proposed appointment of John Correll as the director of the U.S. Office of Surface Mining, Reclamation and Enforcement. Mr. Correll's documented dubious record demonstrates that he cannot adequately perform the duties of the post. We need regulators who will regulate, not work to shift the responsibility and costs of production from industry to the backs of the public and local communities.

Thank you for your consideration,

CLARKE R. KAHLO,
Director of Regional Advancement and Education.

FRIENDS OF THE CHEAT,
Kingwood, WV.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DOMENICI AND SENATOR BINGAMAN: John Correll's record make him a bad choice to head the U.S. Office of Surface Mining, Reclamation and Enforcement. As you know, the OSM's primary objectives are to ensure that coal mining activities are conducted in a manner that protects citizens and the environment during mining, to ensure that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

Because of his record, I believe Mr. Correll cannot fulfill these duties. Please oppose his nomination to this post.

Note that:

As Deputy Assistant Secretary of Labor, Mr. Correll was responsible for management of the Mine Safety and Health Administration for five years, during which the number of federal inspectors was reduced by 217 and resulting in fewer than mandated inspections per year and a record number of mine accident fatalities in the first six months of 2006.

Mr. Correll was instrumental in lowering safety requirements regarding flame resistant materials and intake air routes. This was before the Sago mine disaster and the Aracoma mine fire.

Mr. Correll was the CEO for an organization called the International Mine Safety Professionals. One of his associates was Ben Shepherd. Ben Shepherd got an illegal sole source contract from MSHA to conduct training for MSHA supervisors. Shepherd charged the agency $1025/student. He shared the profits with the International Mine Safety Professionals. The agency issued 180 individual contracts to avoid detection for violating federal procurement rules. The scam was publicly exposed. The Office of Inspector General investigated and concluded that the contracts were illegal. Correll continued as CEO for the International Society for months after coming to work for MSHA. This scam was also reported on "60 Minutes" on April 4, 2004.

Mr. Correll participated in the cover-up regarding the Massey Energy Martin County Coal sludge disaster of October 2000. 6 million gallons of coal sludge polluted 100 miles of streams in Eastern Kentucky and West Virginia. EPA called it the worst environmental disaster in the eastern U.S. Correll was the overseer of the internal MSHA review that should have exposed MSHA's prior knowledge of the unsafe conditions at the coal waste impoundment. Instead, the report left MSHA blameless and was limited in scope by Correll and his boss Dave Lauriski. Correll also was a key player in the retaliation efforts by MSHA against the whistle-blower who exposed the cover-up. This was also detailed in the "60 Minutes" program of April 4, 2004, as well as in the New York Times and other newspapers.

With a record like this, I cannot think Mr. Correll would be a strong advocate for reclamation funding and programs that are needed to address water quality in hundreds of communities across Appalachian coal country. Again, please oppose Mr. Correll's nomination to head OSM. Thank you for your consideration.

Sincerely,

KEITH PITZER,
Executive Director

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, AK, July 17, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR DOMENICI: In contemplation of your hearing on July 20, I am writing as Governor of Alaska to express my strong support for the' nomination of Drue Pearce to be Federal Coordinator for Alaska Natural Gas Transportation Projects.

I have known Drue since 1977 and have worked with her closely during her career in the public and private sectors. Drue has had a distinguished career in public service. In particular, I commend your attention to her long tenure in the Alaska Legislature during which she was twice president of the State Senate and served in other responsible capacities. During this time, she gained an in-depth knowledge of natural resources, public lands, fiscal, and other significant issues.

In her service as Senior Advisor to the Secretary for Alaska Affairs from June 2001 to the present, she has provided valuable advice to the Secretary of the Interior on a broad spectrum of issues and has served as the Policy Coordinator for the department's preparation for an Alaska natural gas pipeline. Drue has also held positions of leadership and trust in the private sector, as exemplified by her work for Alaska National Bank of the North and for the Arctic Slope Regional Corporation.

Throughout her public and private careers, Drue has demonstrated great competence, integrity, and dedication to public service. She has a proven track record of leadership and accomplishment. Of direct relevance to the position of Federal Coordinator for Alaska Natural Gras.Transportation Projects, she has demonstrated an

ability to work with others and to achieve a consensus in the pursuit of common goals.

The position of Federal Coordinator will be of great importance to my state and the nation. There is an urgent need to commercialize Alaska North Slope natural gas by permitting and constructing the transportation system. The benefits of this system cannot be overestimated, as this country searches for new sources of domestically produced oil and natural gas.

I believe that Drupe Pearce is up to the task and that her confirmation will assist both Alaska and the federal government in our joint efforts to build a gas pipeline from the North Slope to markets in the lower 48 states. Accordingly, I recommend the committee's prompt approval of her nomination.

Thank you for considering my views.

Sincerely yours,

FRANK H. MURKOWSKI,
Governor.

ALASKA STATE LEGISLATURE,
Juneau, AK, July 15, 2006.

Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

TO WHOM IT MAY CONCERN: We are writing in support of Ms. Drue Pearce's nomination as Federal Coordinator for Alaska Natural Gas Transportation Projects. We have both served with Ms. Pearce and have a great deal of respect for and trust in her.

Ms. Pearce is a very talented and knowledgeable person. She served as the Alaska State Senate's President for two terms and was co-chair of the Senate Finance Committee twice. She has broad experience in oil and its matters, having served as Chair of the Energy Council in 1993-94 and from her work in the state legislature, particularly as a member of the joint Special Committee on Mergers. Her work was instrumental in protecting Alaska's rights during the proposed BP-ARCO Merger in the late 1990s; she deserves tremendous credit for her work during that difficult time.

We both know that Ms. Pearce would do an excellent job as the Federal Coordinator for Alaska Natural Gas Transportation Projects. Drue has the ability to work in a bi-partisan manner, focusing on issues and results—she has tremendous depth of understanding and ability. She would be a true asset in what will be a difficult position. Thank you very much for your consideration of a fine Alaskan. Please do not hesitate to contact us with any questions. Representative Berkowitz can be reached at: (907) 465-4919 and Representative Kerttula can be reached at: (907) 209-5104 (cell) or (907) 465-4766 (work).

Sincerely,

REP. ETHAN BERKOWITZ,
Minority Leader,
REP. BETH KERTTULA,
Minority Finance Committee Member.

ALASKA OIL AND GAS ASSOCIATION,
Anchorage, AK, July 17, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Re: Nomination of Ms. Drue Pearce—Federal Coordinator for Alaska Natural Gas Transportation Projects

DEAR SENATORS: The Alaska Oil and Gas Association (AOGA) is a non-profit trade association whose 17 member companies represent the majority of oil and gas exploration, production, transportation, refining and marketing activities in Alaska. AOGA supports the confirmation of Ms. Drue Pearce for the new position of Federal Coordinator for Alaska Natural Gas Transportation Projects.

Ms. Pearce has demonstrated strong, proven leadership throughout her career. During her 17-year tenure as a state legislator, she was known to be a knowledge-

able, tough, fair lawmaker who had the ability to reach across party lines and within her own caucus to build needed consensus on difficult issues. Ms. Pearce held key leadership positions while a member of the Alaska State Legislature, including serving as Senate President twice.

In her most recent role as Senior Advisor for Alaska Affairs for the Secretary of the Department of Interior, Ms. Pearce again demonstrated her ability to gain support for difficult and complex projects from a variety of competing stakeholders. She is highly knowledgeable about Alaska and about the interrelationships between local, state, and federal governments and the private sector.

The role of Federal Coordinator for Alaska Natural Gas Transportation Projects is vital to the success of commercializing Alaska's natural gas resources to meet the nation's energy needs. AOGA endorses Ms. Drue Pearce for confirmation to this important position.

Sincerely,

JUDITH BRADY,
Executive Director.

RESOURCE DEVELOPMENT COUNCIL FOR ALASKA, INC.,
Anchorage, AK, July 17, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. JEFF BINGAMAN,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Re: Confirmation of Mark Myers and Drue Pearce

DEAR SENATORS: The Resource Development Council for Alaska, Inc., (RDC) is writing to support the confirmation of Mark Myers to the position of Director of the U.S. Geological Survey and Drue Pearce to the new position of Federal Coordinator for Alaska Natural Gas Transportation Projects.

RDC is a private, non-profit business association comprised of individuals and companies from all Alaska resource sectors—oil and gas, mining, timber, fishing and tourism. Our membership also includes the state's 13 Native regional corporations, organized labor, local communities and industry support firms. RDC's mission is to grow Alaska's economy through the responsible development of the state's natural resources.

Mr. Myers is well qualified to lead the U.S. Geological Survey. He is a highly-regarded manager and petroleum geologist with 22 years of Alaskan experience and he holds a Ph.D. in Geology. He possesses a wide range of industry and government oil and gas experience and has strong leadership skills with consensus building management abilities.

Approximately ten years of Mr. Myers' career was with industry when he served as a Senior Geologist for ARCO and Phillips Petroleum. For 12 years, he worked in the State of Alaska Division of Oil and Gas as a petroleum Geologist and more recently, Director of the Division of Oil and Gas. As Director, he managed the Alaska's oil and gas resources, including resource evaluation, leasing, utilization, permitting, royalty accounting, auditing, sale of royalty oil and gas, permitting and inspecting. He managed a professional staff of nearly 100, including geoscientists, engineers, land managers, accountants, commercial analysts and auditors.

In addition to Director of Oil and Gas, Mr. Myers served as State Geologist and Director of the Division of Geological and Geophysical Survey where he managed the state's geological and geophysical research organization of 38 scientists and support staff. The state survey generates, analyzes and interprets data on geologic resources and natural conditions, as well as maps and inventories mineral and energy resources on state land for use by government, private industry, scientists, educators and the public.

It is also our privilege to support the confirmation of Drue Pearce to the new position of Federal Coordinator for Alaska Natural Gas Transportation Projects. Ms. Pearce is well known across Alaska and is highly qualified for this position. She too is a consensus builder with strong leadership skills and a distinguished record of public service.

Ms. Pearce was elected to the Alaska State House in 1984 and to the State Senate in 1988. She served twice as Senate President, twice as co-chair of the Senate Finance Committee and chaired the Senate Rules Committee.

She also served as Chair of the Energy Council in 1993-94. The Council is a legislative organization of ten energy producing states. Venezuela, Alberta, Nova Scotia, British Columbia and Newfoundland are international affiliates. While serving as the Chair and on the Executive Committee of the Council, she led delegations to Bolivia, Mexico, Costa Rica and Venezuela. Ms. Pearce also served as the American Co-Chair for the U.S. West Coast-Russian Far East Business Commission Ad Hoc Working Group.

Most recently, Ms. Pearce has been representing Alaska in the U.S. Department of the Interior, working as Secretary Gale Norton's Senior Advisor for Alaska Affairs. For the past five years, she has provided counsel to the Secretary in the development of the department's policies affecting Alaska. In this capacity, Ms. Pearce has been designated to serve as a Federal Trustee to the Exxon Valdez Oil Spill Trustee Council, appointed as a member of the Department of Transportation's Technical Hazardous Liquid Pipeline Safety Standards Committee, and chosen as the Department of the Interior representative to the Arctic Council. She is also the policy coordinator for the department's efforts to prepare for permitting and construction of an Alaska Natural Gas Pipeline.

The Resource Development Council strongly endorses the confirmation of Mark Myers and Drue Pearce. Both are ideally qualified and will be major assets to the federal government in their respective positions.

Sincerely,

CARL PORTMAN,
Deputy Director.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR DOMENICI: I am writing to you to urge your support for two exceptional Alaskans that are being considered for positions within the federal government. They are Mark Myers and Drue Pearce. I have had the good fortune to cross paths with both of these people at various times during my 33 years in Alaska.

Drue Pearce is being considered for Federal Coordinator for Alaska Natural Gas Transportation Projects. She has an outstanding record of public service in Alaska for many years, and some experience in Washington DC as well. My experience working with Ms. Pearce goes back to her days in the Alaska State Senate. There she worked tirelessly to make things better for Alaska and Alaskans. She took a no nonsense approach to doing the people's work and at the end of the day she was able to accomplish a lot. Later she worked as Senior Advisor for Alaska Affairs under Secretary of the Interior Gale Norton. In my opinion she did a great job there and once again made a big difference for Alaskans in particular and Americans in general,

Mark Myers is up for the Director of the U.S. Geological Survey. He has also done a lot of good for Alaska in the various roles he filled during his career here. He worked in the private sector on the north slope of Alaska where he was an important member of the teams who developed many of the projects that have been delivering energy resources to the lower 48. Most recently, he worked as Director of the Division of Oil and Gas in the State of Alaska Department of Natural Resources. There he was able to add a lot of value to Alaska. For example he played a key role in managing the generation of much of the State's revenue (just short of 2 billion dollars in FY 2005) coming in from the oil industry. I have seen Mr. Myers in action and I have really been Impressed by his convictions and ethics.

As someone who hires a lot of people in the private sector my experience is that you do not come across people of high quality such as Ms. Pearce or Mr. Myers very often. The U.S. Government would be fortunate Indeed to have such great people filling these important positions. Please seriously consider placing them in the positions they have applied for.

Sincerely,

CARL PORTMAN,
Anchorage, AK.

STATE OF ALASKA,
ALASKA OIL AND GAS CONSERVATION COMMISSION,
Anchorage, AK, June 26, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Re: Appointment of Director of U. S. Geological Survey

DEAR SENATOR DOMENICI: We are writing in support of the appointment of Dr. Mark D. Myers to be the new Director of the U. S. Geological Survey. The undersigned Commissioners administer the State regulatory agency charged with overseeing all oil and gas operations within the State of Alaska. In our capacity as regulators, we have had extensive direct professional contacts with Dr. Myers and have found him to be an outstanding professional in all respects. He is an exceptionally talented geoscientist, a professional of impeccable character, and a superior manager of people and resources.

We believe the nation will be well served by the appointment of Dr. Myers as Director of the U. S. Geological Survey. He has a reputation for being forthright in his dealings with all persons and in our opinion he will make an outstanding Director of the U.S. Geological Survey.

We urge the Senate to confirm his appointment promptly so the Nation can immediately begin to benefit from having such a capable and experienced professional at the helm of this important agency.

If any additional information is desired we would welcome the opportunity to elaborate on Dr. Myers' many fine qualities and his reputation and years of experience as a geologist and administrator in Alaska.

JOHN K. NORMAN,
Chairman,
DANIEL T. SEAMOUNT, JR.,
Commissioner,
CATHY P. FOERSTER,
Commissioner.

PRESS RELEASE FROM THE DEPARTMENT OF THE INTERIOR

ACTING SECRETARY SCARLETT PRAISES PRESIDENT'S INTENTION TO NOMINATE MARK MYERS AS USGS DIRECTOR

WASHINGTON—Acting Interior Secretary Lynn Scarlett today praised President Bush's intention to nominate Mark D. Myers as director of the U.S. Geological Survey. The announcement is subject to confirmation by the U.S. Senate, once the official nomination is made by the President. Current acting director Dr. P. Patrick Leahy will continue to serve in the acting capacity until Senate confirmation.

Myers is an internationally recognized geologist and former State Geologist and head of Alaska's Geological Survey.

"Mark is known not only for his accomplishments as a geologist and state survey manager but also for the consensus building approach he has emphasized throughout his career," Acting Secretary Lynn Scarlett said. "He brings more than 22 years of wide ranging experience in geological science and strong leadership skills to the U.S. Geological Survey."

As State Geologist and Director of the State of Alaska Division of Geological and Geophysical Survey, Myers managed a research organization that included 38 scientists and support staff. The state survey generates analyses and interprets data on geologic resources and natural conditions and maps and inventories mineral and energy resources on state land. That information is used by the government, private industry, scientists, educators and the public.

As Director of the State of Alaska Division of Oil and Gas, Myers oversaw a professional staff of nearly 100 employees, including geoscientists, engineers, land managers, accountants, commercial analysts, and auditors.

Myers, an expert on North Slope sedimentary and petroleum geology, served as survey chief for field programs in the MacKenzie Delta (ARCO, 1985), Cook Inlet (State of Alaska/U.S. Geological Survey, 1997), and North Slope (ARCO, 1999). He also served as sedimentologist for 13 other North Slope field programs.

Myers is a past president and board member of the Alaska Geological Society; a certified professional geologist with the American Institute of Professional Geologists; a certified petroleum geologist with the American Association of Petroleum Geologists; and a licensed geologist with the State of Alaska.

He served as an officer in the U.S. Air Force Reserve from 1977 to 2003, retiring as a Lt. Colonel.

He received his doctorate in geology from the University of Alaska-Fairbanks in 1994, specializing in sedimentology, clastic depositional environments, surface and subsurface sequence analysis and sandstone petrography. Myers earned his B.S. and M.S. degrees in geology from the University of Wisconsin-Madison.

The USGS serves the Nation by providing reliable scientific information to describe and understand the Earth; minimize loss of life and property from natural disasters; manage water, biological, energy, and mineral resources; and enhance and protect America's quality of life. The USGS is organized with a Headquarters and Eastern Region facility in Reston, Va. Central Region and Western Region offices are located in Denver, Colo., and Menlo Park, Calif., respectively.

The 10,000 scientists, technicians and support staff of the USGS are located in nearly 400 offices in every state and in several foreign countries. With a budget of more than $1 billion a year, the USGS leverages its resources and expertise in partnership with more than 2,000 agencies of state, local and tribal government, the academic community, other federal allies, non-governmental organizations, and the private sector. Field investigations, direct observations of natural science processes and phenomena, and monitoring and data collection at the local scale are the scientific hallmarks of the USGS.

○