

SALAZAR NOMINATION

HEARING

BEFORE THE

COMMITTEE ON

ENERGY AND NATURAL RESOURCES

UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

TO

CONSIDER THE NOMINATION OF KEN SALAZAR TO BE SECRETARY OF
THE INTERIOR

JANUARY 15, 2009



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SALAZAR NOMINATION

THURSDAY, JANUARY 15, 2009

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

The committee met, pursuant to notice, at 9:33 a.m. in room SD-G50, Dirksen Senate Office Building, Hon. Jeff Bingaman, chairman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

The CHAIRMAN. Why don't we get started. The committee meets this morning to consider the nomination of our good friend and colleague Senator Ken Salazar to be the Secretary of Interior. Senators and Representatives have been named Secretary of Interior before; I believe that this is the first time that a member of our committee, the Committee on Energy and Natural Resources, has been appointed as Secretary of Interior.

In my view, President-elect Obama could not have chosen a better nominee. As a westerner who's farmed and ranched, who's practiced water law, who's served in State government and—before coming to the Senate, clearly Senator Salazar understands the West and the special needs of the public-lands States. He's played an active role on this committee in helping to shape energy policy legislation in the last two Congresses. He understands the need to develop our oil and gas resources, but also the importance of balancing our energy needs with land conservation, outdoor recreation, and the environment. He's been a forceful advocate for clean, renewable energy technologies for outdoor recreation and for our rural communities.

His service on this committee will serve Senator Salazar well in his new role. He will take with him to the Department both a keen appreciation for the Department's mission as the steward of our public lands and natural resources, but also a thorough understanding of the many challenges facing the Department. As a soon-to-be-former Senator, he will also appreciate the need to work with the committee and the Congress, generally, in trying to address these challenges. I'm sorry that we are losing Senator Salazar as a member of this committee and a member of the Senate, but I'm delighted by his nomination. He has my enthusiastic support, and I hope that we can confirm his nomination soon, in this next week.

Let me defer to Senator Murkowski for her statement.

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

Senator MURKOWSKI. Thank you, Mr. Chairman.

I, too, welcome my friend, my colleague, back to the committee, albeit on the other side of the table. But, we're pleased to have you before the Energy Committee this morning for the purposes of the nomination to be Secretary of the Interior. I appreciate the opportunity that you and I had to discuss some of the issues that will be in front of you. I think you realize what a large portfolio you will be taking on, but I know that your heart, as a person who cares for our land here in this country, will guide you.

I am glad to say that Senator Salazar has had experience on all sides of the public-land debate, as a rancher and as both Colorado's attorney general and head of the Department of Natural Resources. Senator Salazar, of course, on the Federal side, covered through his service as a very distinguished member of this committee for these past 4 years.

If confirmed, as I certainly expect that you will be, Senator Salazar, you will lead an agency of 73,000 people, with broad responsibilities for our Nation's Federal lands, national parks and offshore areas, our endangered species and water resources, and our Indian tribes.

The Interior Department, as we discussed—as it relates to Alaska, Interior is the biggest landlord of public land in Alaska, with title to more than 200 million acres, is a full 60 percent of the State of Alaska. Your experience as a westerner, including your various roles in government, certainly give you a thoughtful and a practical approach to very difficult and complex issues. But, I think that your reputation as a consensus-builder and a centrist will truly serve you well.

Senator Salazar, I know that you are aware of my very intense interest of the committee and the decisions that you will be making. I look for your commitment to working closely with each of us as you consider and develop the Department's natural resources priorities. I look forward to the time when Senator Begich and I will be able to welcome you to the State of Alaska, hopefully with some of my colleagues here on this panel, so that you can have your eyes opened a little bit more to some of the issues that we face up north, and look forward to that time. But, at this point, this morning, again, I thank you for your willingness to serve in this capacity, and for the good work that you have done.

Thank you, Mr. Chairman.

The CHAIRMAN. All right. We have two of our colleagues here to introduce the nominee. We have Senator Mark Udall, from Colorado, and Representative John Salazar, from Colorado. Both of them are intimately acquainted with the nominee, and also with members of this committee, so we welcome them.

Senator Udall, who is a member of our committee, we welcome you, and please make any statements you'd like in support of the nominee, and then we'll call on Representative Salazar.

**STATEMENT OF HON. MARK UDALL, U.S. SENATOR
FROM COLORADO**

Senator UDALL. Thank you, Mr. Chairman. Good morning, Mr. Chairman, Ranking Member Murkowski, and members of the committee. This is an exciting and, I dare say, a historic day for those of us from Colorado. I'm just very proud to sit here with my two brothers from the great and well-known Salazar family. It's been said, usually you have to have at least two Udalls to take on one Salazar, but today—

[Laughter.]

Senator UDALL [continuing]. We've turned the tables. But, I can't tell you how exciting this is for all of us.

As the soon-to-be-senior Senator from Colorado, I'm pleased to be here today to introduce my friend and—

[Laughter.]

Senator UDALL [continuing]. Colleague, Senator Ken Salazar, as President-elect Obama's choice to lead the Department of Interior.

For reasons I will explain shortly, I believe that this man, who's a fifth-generation son of the West, whose ancestors settled Santa Fe before America gained independence, is uniquely qualified and experienced to lead the U.S. Department of the Interior. He's an outstanding public servant, and he will make an outstanding Secretary of the Interior.

This committee, as, Mr. Chairman, you and the ranking member pointed out, and our colleagues throughout the Senate, are well aware of Senator Salazar's excellent record of leadership. He's worked across the aisle and with diverse stakeholders on many issues, ranging from healthcare to national security. As a member of this committee, Ken has worked to extend critical renewable tax credits, protect our natural resources, and encourage environmentally responsible develop of domestic energy sources.

I've been proud to work with him on a wide range of issues, including protection of our public lands and water resources in Colorado. I'm especially proud of our work together to pass legislation that allowed a lovely older woman, Betty Dick, to pass her final days in peace on land she treasured in the Rocky Mountain National Park that's so important to us in Colorado.

Ken, I think Betty would be very proud of you today.

Even before his time in the Senate, Ken has been a recognized leader in the West. As a farmer and a rancher, he's always had a close relationship with the land and with rural communities. He's spoken eloquently about what he calls "The Forgotten America," and he has been a steadfast champion of the land, water, and people of the West.

As the executive director of Colorado Department of Natural Resources, Ken used his unique background and experience to protect the environment and Colorado's communities, educate youth about our natural resources, and defend Colorado's water. He helped create Great Outdoors Colorado, and led it to become one of the most successful land conservation programs in the country.

While serving as Colorado's attorney general, Ken worked to make our community safer and addressed gang violence. He also led efforts to preserve open space, and, during this two terms as

attorney general, he was a well-known champion of the natural environment.

Ken will bring, without question, his rural values—hard work, honesty, and integrity—to the Department of Interior, and help the Department face the many challenges that are in front of it. From addressing Interior’s ethical lapses to tackling our country’s lack of transmission infrastructure, Ken will work hard to put the Department of Interior back on the right track.

Mr. Chairman, as I close, I would be remiss if I did not mention Senator Salazar’s family; and, in particular, his mother, Emma. Like her sons, she is a remarkable Coloradan. I had the opportunity to visit her at the Salazar ranch, Los Rincones, last year. If her son, Ken, demonstrates the same indomitable spirit, strength of character, and wisdom of his mother—and I know he will—he should be an outstanding Secretary of Interior.

Thank you.

The CHAIRMAN. Thank you for your strong statement of support.

Representative Salazar, you probably are in a better position to give us the real inside story on this nominee than anybody before the committee today. Please go right ahead.

**STATEMENT OF HON. JOHN T. SALAZAR, U.S.
REPRESENTATIVE FROM COLORADO**

Mr. SALAZAR. Thank you, Mr. Chairman and members of this distinguished committee. It is an honor and a privilege to come before you today, feelings matched only by the pride I bring to this chamber as I introduce to you President-elect Obama’s nominee for Secretary of the United States Department of Interior, my brother, Senator Ken Salazar.

You’re going to learn a lot about Senator Salazar today, both from himself and from others. I speak to you from a unique and blessed perspective of one who has not only worked with the Senator in the Halls of Congress, but toiled with him on the land that he has always fought to manage and protect. Although it feels like yesterday, it was many years ago when my brother and I worked and played in the fields of the ranch in—of our ranch in southern Colorado in the San Luis Valley. We didn’t have electricity or television or many toys, but we found inspiration on the land that my mother and father and seven brothers and sisters worked in order to survive. It is this challenge to manage the land, so that it can provide prosperity, inspiration, and health, that faces the incoming Secretary of Interior, and there is no one stronger, more experienced, or better suited for that task than Senator Ken Salazar.

The next Secretary of Interior is going to need to bring with them an abundance of selflessness and integrity, and Colorado’s senior Senator has these qualities to spare. To me, he is one of the most selfless individuals that I have ever known. He champions the value of hard work, integrity, and honesty that our parents taught us on the farm. He has excelled in his career, not to further his agenda, but because when doors of opportunity have opened for him, he has never slammed those doors behind him; he’s always held them open for others.

We often hear the phrase “the law of the land.” Senator Salazar is the embodiment of that phrase. As a former Colorado State at-

torney general and director of the Colorado Department of Natural Resources, he brings a keen and precise understanding of the law and its application to administrative and public-lands issues. He brings with him a steady hand, one strengthened by his time on the land, to the task of overseeing the management of our public resources with honor.

Senator Salazar is a testimony to our parents' lesson of standing up for what is right, even if you're standing alone. As he has always done, the Senator will not hesitate to put the needs of the Nation before the needs of himself and make those tough choices. He is a pragmatist who does not delineate by political orientation. He weighs the virtues of both sides of the issue, and ultimately makes the best decision for the greater good.

Mr. Chairman and members of the committee, it is with great honor and pride and hope for the future of the lands which define the character and the spirit of this great Nation that I introduce to you U.S. Senator Ken Salazar, nominee for the Secretary of the Department of Interior.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you for your strong statement, as well.

Ken, as you are well aware, the rules of the committee, that apply to all nominees, require that nominees be sworn, in connection with their testimony, so if you could stand and raise your right hand, please.

Do you solemnly swear that the testimony you're about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth, and nothing but the truth?

Senator SALAZAR. I do.

The CHAIRMAN. Please be seated.

Before you begin your statement, I will ask three questions that we address to each nominee before the committee.

The first question: Will you be available to appear before the committee and other congressional committees to represent departmental positions and to respond to issues of concern to the Congress?

Senator SALAZAR. Yes.

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

Senator SALAZAR. No.

The CHAIRMAN. The third question: Are you involved or do you have any assets that are held in blind trust?

Senator SALAZAR. No.

The CHAIRMAN. At this point, our custom is for nominees to introduce any family members that are present. If you would like to do that, you're invited to do so.

Senator SALAZAR. Mr. Chairman, with your permission, I would like to do that and give an opening statement—

The CHAIRMAN. Why don't you go ahead with introductions, and then your statement. Please.

**TESTIMONY OF HON. KEN SALAZAR, U.S. SENATOR
FROM COLORADO**

Senator SALAZAR. Thank you, Mr. Chairman.

Let me first say, Chairman Bingaman and Ranking Member Murkowski, Senator Dorgan, Senator Wyden, Senator Landrieu, Senator Shaheen, Senator Udall, Senator Sanders, and to all the great members of the committee and the staff, it is an absolute honor to be before you today, and I thank you for the work that we have done together for the last 4 years, and I very much look forward to the work that we have to do together in the future, because, in a way, it is a bittersweet reality that I leave the Senate, but there is also some goodness in that, in that I continue to work with the great members of this committee and the Members of the U.S. Congress.

I want to thank the President-elect, Barack Obama. I think President-elect Obama brings the kind of change and hope to America that is of the kind that this country so needs. I liken it, always, to the election of Abraham Lincoln or to the election of Franklin Delano Roosevelt, for the kinds of challenges that we face in the future are going to take a herculean effort to resolve. I look forward to being a part of that team to bring about that change to America.

I want to thank Congressman Salazar, my brother, John Salazar, who is the older brother, who, frankly, has been my brother and friend for more than 50 years. To Senator Mark Udall, we are brothers, and the Udall family has made its mark on the West, and we have been friends for a very long time, and we'll continue to work on so many issues, as we have over so many years in Colorado.

I want to also thank the members of my family. You know, the— all of our family. My family is not able to be here today; they will be here for the inauguration. My wife, Hope, my daughters, Melinda and Andrea, my granddaughter, Mireya; all of them, who are probably watching this event at home in Colorado today, are the bedrock of my life, and I will not forget them, now or forever.

I want to also thank my father and mother. Many of you on this committee know the history of my father and my mother. But, they are proud people, 12 generations on the soils of New Mexico and Colorado. My father, in World War II, was a soldier, a staff sergeant in the Army during that war and mother, at the age of 19, found her way across America to come and serve this great country, in what was then known as the War Department, for a period of 5 years. They instilled in us the values that I have brought to the U.S. Senate and to my public life. To them, I will be forever grateful, because they saw a dream in the future of America through their children. Though they were poor, though they did not have an opportunity to receive an education, all eight of their children became first-generation college graduates. I'm sure they could not have foreseen that someday they would have a son who would be a U.S. Senator and a Secretary-designee for the Department of Interior, nor could they have seen that, sitting to his left earlier this morning, there would be a member of the U.S. House of Representatives. But, what they could foresee was the fact that we are a humanity in progress, and America is the shining star that takes

us forward as a beacon of hope and opportunity. It was that faith in the future that has me here today in front of this wonderful committee asking for your blessing as I move forward to serve this Nation as Secretary of Interior.

Let me say just a few words about the Department of Interior and what some of my priorities will be as I move forward and implement President Obama's agenda within the Department of Interior.

It is a big Department, and I know it covers, not only everything in the Outer Continental Shelf, but one-fifth of the land mass of the United States of America, deals with the issues of Native Americans, which are many, and we'll talk about those in a minute, but also deals with a whole host of other issues, from water, not only in the West, but our national monuments, historic preservation, and so many things.

I want this Department to be America's Department. You know, I think, for far too long, the Department of Interior has been seen as a Department only of the West. The fact is that this Department of Interior touches, not only the 50 States, but the territories, our oceans; and, in fact, its footprint is global. It is with that kind of ambition that I approach this job, knowing that we can make the difference that will help change the world in a very good way for the people of America.

My priorities, as I move forward within the Department of Interior, will be the following:

The mess that exists in the Department of Interior. I do believe that Secretary Kempthorne has done some good things to try to right the ship of 6 years gone bad during the first 6 years of the Bush Administration, but it is telling to me that the inspector general of the Department of Interior, in its report to Congress in 2006, basically said the following. The IG said, quote, "Simply stated, short of a crime, anything goes at the highest levels of the Department of the Interior. Ethics failures on the part of senior Department officials have been routinely dismissed, with a promise not to do it again."

But, we know that, since those words were written to Congress by the inspector general, that even crime has been something that has happened within the Department of Interior. So, our first and foremost task will be to restore the integrity of the Department of Interior, and to bring the highest level of ethics back to the functions of this critical Department for our Nation's government.

Second, I, in my own conversations with Senator—with President-elect Obama, decided that one of the things that we want to do is to make sure that we get to energy independence, that we take the moon shot to energy that we can take in the several years ahead, and that we really set America free, as so many of us who have been a part of that coalition have tried to do in our work in this committee, as well as in the U.S. Congress for the last 4 years. We will do it now. It is an inescapable reality. It is an imperative. It is something that we will not let go of.

From my point of view, we need to build a house of energy independence for America. A house of energy independence will be based on four cornerstones.

First, it will be based on conservation, because we all know that that is the low-hanging fruit as we deal with our efforts to move toward energy independence.

Second, we will embrace the ethic of renewable energy, which this committee has helped lead on, with a new vigor and a new resolve within the Department of Interior. What that will mean is taking on issues, like the siting of solar facilities and wind farms and other kinds of renewable energy resources, including geothermal and some small hydro, for already-existing facilities, within the lands of America, so that we can help move forward toward energy independence.

We also will deal with transmission, because it doesn't do any good to produce huge amounts of solar power within the San Luis Valley, in the southern part of my States, or within New Mexico, if we can't get the power that's generated from those solar power farms to the places where it is to be consumed.

Third, technology. We know the importance of technology in this committee, and how that holds so much of a key to our energy independence. I will continue to be a keystone person, working on an energy team that will help us get to the energy independence with the new technology, whether it's for batteries, for hybrid electric, or the other kinds of technologies that we have talked about so often here in this committee.

Fourth, responsible development. I know that much of the fight within the Congress over the last 10 years has been about how we develop our natural resources. My own view, and that of Senator-elect—and that of President-elect Obama, is that we need to develop our resources, but we need to develop them in a thoughtful and responsible way. We can develop our oil and gas resources, but we can also make sure that we're taking care of the habitat that anglers and hunters are so endeared by and which provide so many economic benefits to much of the rural parts of America, to much of America. So, we will have a balanced approach to the development of our natural resources.

So, energy will be a major issue, and one on which I intend to spend a very significant amount of my time during the time that I am at the Department of Interior.

Third, I want to make sure that America's treasured landscapes are protected, preserved, and enhanced. That means a new and vigorous approach to our work with the national parks of America, our natural monuments, all of our public lands, our historic preservation. I also want to take on some new initiatives with respect to the Land and Water Conservation Fund and try to move forward with the protection of lands of national significance and to address the issues of the protection of farmlands and ranchlands across America.

During my time as director of the Department of Natural Resources, and on my own time, I wrote the constitutional amendment that created Great Outdoors Colorado within my State. It avoided the conflict that often happens between condemnation, on the one side, for public purpose, and preservation, on the other hand. With the program that we've created in Colorado, we now have river restoration efforts in the Joaquin, the Colorado, the Platte, the Arkansas, the Cache La Poudre, and so many others,

and have created community separators, so that places like Colorado Springs and Denver will never grow together as one chain of cities. So, we will move forward with an agenda on national parks and lands of national significance and sites of national significance also with a new vigor.

Fourth, the water challenges of America are important to all of us. We know, especially in the arid West, where we say “whiskey is for drinking and water is for fighting,” that people fight about something when it is so scarce. But, it is an issue that not only affects the West, it also affects all of America. The issues are complex, and, as Chairman Bingaman and Senator Dorgan would know, and Senator Murkowski, some of these issues are issues that have gone unresolved, sometimes for decades and decades and decades. We will bring the kind of expertise to the table to help resolve many of these outstanding conflicts that we have with respect to water, and also to address the water supply issues of our communities.

Fifth, for far too long, the Native American communities, the first Americans of this country, have been left far behind; and they are, indeed, among the most vulnerable of our populations. They are recognized in our Constitution as being our partners, and they deserve to have the kind of respect and the kind of consultation with the United States of America that is deserving of the sovereigns of the Indian communities. Therefore, we will take on a new agenda as we deal with America’s first people, and make sure that, as we deal with America’s first people, that we are addressing the major challenges of our time for them, for all of us, which include economic development within the reservations, moving forward with education of a million-plus children, where we have dilapidated schools and an educational system that is not working for many of our Native American young people. We will move forward, with the leadership of people like Senator Dorgan and others, and make Indian healthcare a reality for the Native Americans of our reservations. We will end the criminality which has come to typify the reality for many Native American tribes and reservations across this land. It is time that we bring a new sense of law enforcement within the reservations, and to do that in a coordinated and collaborative way with law enforcement within the reservation.

Sixth, our young people. Our young people are important to all of us. You know, I created a program in the State of Colorado called the Youth and Natural Resources Program. As I spoke to Senator Landrieu a few days ago, we were recounting what that program had done. But, we brought about 5,000 kids to work in the Parks and Wildlife facilities of my State, and those kids were exposed to higher education. Environmental education is key. I hope that we are able to move forward and to establish what will be a crown jewel of a national youth conservation program for the Nation through the Department of Interior.

Finally, Mr. Chairman, let me just say that, when I ran for Colorado attorney general in 1997—and few people thought that I would win that race—and when I won—when I ran again, in 2002, for reelection, and when I ran for U.S. Senate in 2004, I came up with a motto that said, “Fighting for Colorado’s land, water, and

people.” I didn’t listen to my advisors and consultants. They thought it was a little bit crazy that I was coming up with that motto for my races, for my political races, “Fighting for Colorado’s land, water, and people.” But, I’m proud I did, because I won all three races by a good margin.

Now it is my extreme privilege to have the full support of President-elect Obama as I move forward to fight for America’s land, water, and people.

Thank you, Mr. Chairman.

[The prepared statement of Senator Salazar follows:]

PREPARED STATEMENT OF HON. KEN SALAZAR, NOMINEE TO BE SECRETARY
OF THE INTERIOR

Thank you, Mr. Chairman and distinguished members of the Committee. I am honored to appear before you today as President-elect Obama’s nominee to be Secretary of the Interior.

Before we begin, I want to thank my entire family, especially my wife, Hope, and my daughters Melinda and Andrea. Without their courage and unwavering support, and the support of all my seven brothers and sisters, I would not be here today.

I want to thank my late father, Henry, and my mother, Emma. A soldier and a public servant in World War II, they instilled in me the values that enabled all of my siblings and me to achieve the American dream. I also want to thank my Senate staff, in Colorado and Washington, for their service.

I have been blessed to represent the five million people of the State of Colorado in the United States Senate. I have come to know my colleagues, Democrats and Republicans, as good friends and dedicated public servants. I am grateful to have served on the Energy and Natural Resources Committee and to have worked with you all on many of the energy, environmental and lands issues facing our nation. If confirmed, I look forward to continuing our work together.

My story in the West goes back 400 years, to when my ancestors helped found the city of Santa Fe—the city of Holy Faith—in New Mexico. I grew up in the San Luis Valley in southern Colorado, on lands my family has farmed and ranched for five generations.

My family’s livelihood depended on the health of our land. Our parents taught us, and their parents taught them, that we have a responsibility to be good stewards of the water, soil, and wildlife around us, so that we can preserve the balance that allows us to ranch and farm, generation after generation.

This sense of stewardship is the foundation for my deep appreciation of our public lands, most of which are managed by the Interior Department. Our nation’s parks, forests and seashores are national treasures.

I also firmly believe that those who work in government must hold sacrosanct the trust of the public it serves. If confirmed, my first priority will be to lead the Interior Department with openness in decision-making, high ethical standards, and respect for scientific integrity. I will work to ensure that the Interior Department’s decisions are based on sound science and the public interest, and not on the special interests. I want the public to be proud of the Department’s work, and I want those who work for the Department to be proud of their service.

If confirmed, I will remain committed to helping our nation reduce its dangerous dependence on foreign oil. President-Elect Obama believes, as I do, that our foreign oil dependence is a grave threat to our national security, our planet, and our economy.

As part of the President-Elect’s energy team, I will work to modernize our interstate electrical grid, expand the use of renewable energy like solar and wind on public lands, and help tribes develop renewable energy resources on their lands.

We must also make wise use of our conventional natural resources, including coal, oil, and natural gas. We should promote responsible energy development in areas like the Alaska National Petroleum Reserve and prioritize the construction of the Alaska natural gas pipeline.

But as we develop our natural resources, we must adhere to the principles of good stewardship, and we must protect some of our nation’s most treasured landscapes.

One of President-Elect Obama’s top priorities is to protect our national parks, public lands, open spaces, and farms and ranchlands. It is a passion I share.

As Executive Director of the Colorado Department of Natural Resources, I authored the Colorado constitutional amendment creating the Great Outdoors Colorado program and served as its first chairman. It has proven to be one of the most

successful land conservation efforts in the United States. If confirmed, I look forward to building on these good ideas and to working tirelessly to protect and restore our national parks, wildlife refuges, and public lands across America for future generations to experience and enjoy.

I also understand the water supply challenges our nation faces. I grew up on the back end of a ditch and the top end of a shovel, so I know the effects of a water crisis on communities, farmers and ranchers. I started working in water law a quarter-century ago. I have worked on scores of legal disputes over water in the private sector and as Colorado's Attorney General, and several of those cases went before the Colorado Supreme Court or the United States Supreme Court.

President-Elect Obama believes, as I do, that we need to help local communities reduce water use by investing in new water conservation technology, while also encouraging innovative, market-based conservation programs such as voluntary water banks to help communities develop programs that work for them.

Another top priority will be to support and serve Native American communities across the nation. If confirmed, I am committed to restoring the integrity of the nation-to-nation relationship with Indian tribes and to meaningful reform of the broken system that manages the trust lands and other trust assets.

I believe the Interior Department should be a partner with tribal communities to advance sustainable economic development—this is fundamental to true self-determination. Education is the key to improving the lives of all children and empowering tribal nations to build a better future. President-Elect Obama is committed to repairing and building Indian schools, and increasing educational opportunities for Native American children.

President-Elect Obama has a bold vision for youth programs across America, which I share. During my tenure at the Colorado Department of Natural Resources, I created the Youth in Natural Resources program to educate thousands of young people about Colorado's natural resources. I saw firsthand what a difference it made in their lives.

A new national youth conversation corps program would introduce young Americans from all backgrounds to the beauty of our national parks and refuges and promote an ethic of volunteerism and conservation among our children and grandchildren.

When I first entered elected office as Colorado's Attorney General, I pledged to "Fight for Colorado's land, water and people," and it is a pledge I still live by today. If confirmed, I will continue to serve as a strong voice for our nation's land, water and people.

Thank you, Mr. Chairman, and thank you, distinguished members of the Committee.

The CHAIRMAN. Thank you for your very thorough statement.

Let me start the questions and ask about this economic recovery bill that is currently being developed. I think, if we're successful, as I hope we are, in getting you confirmed for this new position next week, the first thing on your plate will be—as is the case with all of our nominees who are confirmed next week—will be participating in the development of this economic recovery plan that the President is urging the Congress to adopt. I think we're all familiar with the statistics, that we received, sort of, year after year from the Interior Department, that we have \$9.5 billion of deferred maintenance backlog in the national parks, we have \$5 billion of deferred backlog for road and trail maintenance in the national forests, we have 1.3-billion backlog for rural water projects, 3-billion backlog for aging water infrastructure. The concern I'm—I would like you to comment on is—the latest information I have is that the stimulus proposal that we're going to be presented with only contains \$600 million of proposed spending for our national parks, compared to the 2.75 billion that the Park Service estimates could be put to good use in the next 2 years. I'm also advised that the stimulus proposal will not contain any money for water projects. So, I guess the question would be: If confirmed, can you work with us to see that some of these legitimate needs of the parks and the

forests and public lands are better addressed in this Administration economic recovery plan?

Senator SALAZAR. Chairman Bingaman, the answer to that is yes, indeed, and I look forward to working with you and the Members of the Congress in fashioning a package that addresses the issues of energy, parks, Indian, and water issues. You know, the package is still in its formative stages, but I have let those people who are working on crafting the package understand the importance of those areas that you spoke about.

At the end of the day, it seems to me that, if you take the National Parks Program for example, we know that there are over \$2.5 billion of initiatives—projects ready to go across our national park systems. So, we hope to be able to address those in the economic recovery package.

The CHAIRMAN. Let me just also ask your thoughts. One of the responsibilities of the Department of Interior is the BIA schools. Based on my experience here in the Senate, it seems to me that this is an area of Federal funding that is always shortchanged; there's never enough to build adequate facilities and adequately fund the needs of those BIA schools. I hope you can make this a priority, as well, in the budgets that come from the Administration, and perhaps as part of this economic recovery plan, as well.

Senator SALAZAR. I'd hope that we are able to do that, as well, Mr. Chairman, and that the reconstruction of schools within Indian reservations will be part of what we might be able to address in this package.

The CHAIRMAN. Let me just make one other comment, and then I'll defer to Senator Murkowski.

I do think it's terrific that you are seeing the importance of having the Secretary of Interior intimately involved in the energy policy and the climate-change policy decisions of this new Administration. Those are issues that directly impact your Department, and that your Department has a great role in. We had a chance to talk about that before, and I'm very encouraged that you see this as one of the areas that you're going to be very active.

So, let me stop with that and defer to Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Senator Salazar, thank you for your comments. They are well spoken, and I appreciate them a great deal.

We had an opportunity to talk a little bit yesterday about offshore Outer Continental Shelf development, and, in fact, this is an issue you were very involved with session—the Presidential moratorium that was in place, and then the congressional moratorium that was allowed to expire last year—as Secretary of the Interior, would you support the reinstatement of either ban, either the congressional or the Presidential moratorium?

Senator SALAZAR. As President-elect Obama has said—and I very much agree with him on this position—what we need to do is to look at the OCS in the context of a comprehensive energy plan that includes some of the components of the energy program that I outlined earlier. Development is part of that program. Within the OCS, given the opening up of the 5-year plan within the Department of Interior, it really is up to me, in consultation with you and, obviously, with President-elect Obama, about how we move forward

on the OSC. But, we will have an open process with you and others as we decide how to move forward with that.

The fact of the matter is that there are places in the OCS where it is appropriate for drilling, as this committee and as this Congress has done in places in the Gulf of Mexico and some places in Alaska, as well. There may be other places that are off-limits. But, I think what we need is to have a thoughtful process, as we go forward, to make sure that we're doing the right thing in the OSC, that can be done in an environmentally safe way, and, at the same time, make sure that we are protecting the needs and issues of local communities and States.

I know there are members of this committee who have great concerns about opening up the OCS in certain areas. For example, Senator Martinez and Senator Menendez have talked to me about this issue, relative to their beaches and their economy. So, it is not an easy issue. But, I hope—

Senator MURKOWSKI. What about the aspect of Federal revenue-sharing that can go to the States, and the affected communities within those States?

Senator SALAZAR. We don't have a position on that at this point in time. We look forward to consulting with this committee as we move forward on that issue. You know, it's been a difficult and contentious issue, even among this committee and in the Senate. You know, the different formulas that are used for in-land production and revenue-sharing there than what is used in Alaska, for example, and what is used in the Gulf. So, it's an issue of complexity that's going to require consultation and a lot of work to come up with a solution that hopefully will work for everybody.

Senator MURKOWSKI. One of the things that we would like to work with you on is how we handle, within the Department and the various agencies, the permitting of leases. What we're finding, up north, is, the number of permits that are involved, which you can appreciate, but the number of differing agencies that must move the permits through, and the level of complexity that we have; this process can truly take years. I'm wondering if you would be willing to at least discuss with us, or better understand what some of the complications are, to work to try to provide some coherency, some rationale, to the permitting process, and work to perhaps streamline in certain areas. It is something that we have learned, as we are attempting to provide for more access, at least in the northern part of the country, that the way we have our system set up is not conducive to an efficient process. So, I would just like your recognition that this is an area that we should be looking at and perhaps collaborating a bit more on.

Senator SALAZAR. Senator Murkowski, I think that with—in all areas, where there is a process in place, if we can find ways of doing it better, we've got to do it. If we can streamline processes, we ought to do it. Your comment reminds me, as well, that, while the 2005 Energy Policy Act did a lot, in terms of setting up offices and providing some resources for oil and gas, we need to recognize that we are going to need the same kinds of processes, as we move forward, with energy from other areas, including renewable energy, the siting of solar power plants, the siting of transmission facilities;

those are also going to take resources, and perhaps some streamlining, to get done.

Senator MURKOWSKI. Thank you, Mr. Chairman. I'll come back with extra questions.

The CHAIRMAN. Senator Landrieu.

Senator LANDRIEU. Thank you, Mr. Chairman. I appreciate my colleague, Senator Wyden, for allowing me to go first, because I've got a Homeland Security confirmation hearing, Senator, in just a few minutes.

But, first of all, let me more than welcome you before this committee. It truly, in some ways, is a dream come true, for some of us, to have a person of your caliber and integrity and pureness of heart to run an agency that—and Department—that is truly in need of extraordinary reform, and a man who has in his heart the capacity and background to fight for the people, whose resources these are. For a long time, they've not been managed well, in many ways, and so, it testimony is an extraordinary opportunity, and I want to tell you, you will have my vote, you will have my support, and I'll do everything I can to help meet the vision—to help you with the vision that you've outlined, which I think is ambitious, but most certainly necessary.

I want to associate myself with the remarks of the Chairman relative to the backlog of critical needs in this Nation, from water resources to our parks and public lands. Opportunities have been squandered for years, and it's time to get that fixed. How quickly we can fix it, I don't know, but I do want to associate myself with his remarks, as I hope that we can potentially push the stimulus package to be more reflective of that reality.

No. 2, I'd like to associate myself with the remarks of the Ranking Member. She has been my partner, in many ways, on this committee, with you, to continue to put the OCS—Outer Continental Shelf, 200 miles out from the State boundaries that circle this Nation—to try to put it on the forefront of the agenda; because, I think, in large measure, these lands, perhaps because they lie under great depths of water, are not recognized as part of this agency's responsibility. But, as you so eloquently pointed out, not only are the lands on, you know, the 50 States, but surrounding our 50 States, very important.

Which brings me to my fourth point, and then I'll get to one question. I'd like to mention two historical points quickly. When I saw Senator Udall sitting with you and your brother, I recalled that one of the great stretches of leadership in this country came from Stuart Udall, the Senator's uncle and the Congressman's father, if I have that right. Mark's uncle and Tom's father. He served as a Secretary from 1961 until 1969. In that term, I think he had a heart a lot like yours. He wanted to give the people some of the land that they actually owned, keep as much in private hands, of course, as possible, but for the public. He created, with the help of many, I think, a landmark piece of legislation, called the Land and Water Conservation Fund. He created it. He said that, "At some point in our Nation's history, we need to start giving back to the land. We can't keep taking from it." So, he created a program that authorized \$450 million for the Federal side and \$450 million for the State side, distributed, in his vision, through Governors and

mayors, to create parks, swimming holes where children can swim who sometimes can't even see the sunlight from where they live, places so that kids could understand the value of protecting nature, not just big parks in the West, but in places in crowded cities, from New York to New Jersey, to the South and to the West.

Unfortunately, his vision, which I hope you can add to, was never funded. Not once in 65 years was the Land and Water Conservation Fund ever fully funded, either on the State or the Federal side. It's because it was created, but the money just never seemed to be there to do it. So, you and I passed a piece of legislation, with 70 other Senators, 2 years ago, to begin to try to recapture that great vision, with the Gulf of Mexico Energy Security Act, where some of the money that comes from the Outer Continental Shelf could be used to fund the Land and Water Conservation Fund, so we could really meet the obligations of an expanding and growing population, and take a portion of that and contribute to the coastal States that produce it, and not only fully fund the Land and Water Conservation Fund, but fully appreciate the role that those coastal States play in generating the \$10 billion a year now that's being generated from offshore.

So, I know my time is getting close, but I wanted just to refresh that and to ask you, Are you committed to work with us to find every way we can to fund the Land and Water Conservation Fund and continue the revenue-sharing partnership that will make so many of these good things a reality, including saving Louisiana's coast and wetlands restoration?

Senator SALAZAR. Senator Landrieu, the—I've been an advocate, for a long time, for the full funding of the Land and Water Conservation Fund, and have joined many of you in getting the money that has gone into the Land and Water Conservation Fund for the last 4 years. We need to do everything we can to make sure that we achieve the vision of John Kennedy and Stuart Udall, because there's a lot that we could do if, in fact, we had the Land and Water Conservation Fund fully funded.

Having said that, there are opportunities, as we develop our oil and gas resources around the country, to try to fund the Land and Water Conservation Fund. As you know, and everybody on this committee also knows, we are dealing with some difficult economic issues in our country which are going to affect our budget in numerous ways, and we're going to have to deal with those economic realities within the Federal Government and within our own budgets.

But, having recognized that, I mean, part of my excitement to take on this job are the kinds of opportunities that we can create, hopefully through LWCF and some other programs that will do what we're able to do what we were able to do in Colorado. Perhaps as we look at how we are collecting royalties, doing royalty reform with MMS, and other kinds of things, if we do it right, that the money won't disappear into the dark hole of the Federal Treasury, but instead might come back to help us achieve the vision that we share with respect to the Land and Water Conservation Fund.

Senator LANDRIEU. Coastal restoration would be included, as well?

Senator SALAZAR. I understand the importance of coastal restoration and making sure that we have money available to address the issues of coastal restoration and to mitigate against the impacts, frankly, that have occurred in places like Louisiana and other places where you have oil and gas development offshore.

Senator LANDRIEU. Thank you.

The CHAIRMAN. Senator Martinez.

Senator MARTINEZ. Thank you, Mr. Chairman.

My dear friend, I'm so pleased to be here for you to, first of all, say congratulations and how proud of you I am for your appointment, and to tell you that we will sorely miss you here in the Senate. I was so proud to come to the Senate with you, become your friend, and I just wish you nothing but the best. I know how exciting this moment is for you. I loved and appreciated your statement; I thought it was terrific.

Having had the experience of sitting where you sit today and then what is about to unfold in your life over the next several months, I know how tremendously exciting it is, the birth of a new Administration, and the hopes and opportunities that you'll bring to this very important assignment. So, I wish you my—the very, very best. I really will miss you here in the Senate, but I am delighted for you to move into an area that I know you have a great deal of passion for.

I want to tell you, first of all, that you may be the first Secretary of Interior to have visited El Yunque, which is the rain forest in Puerto Rico that you and I had occasion to visit, so I hope you'll remember that little spot, where—it would be so easy to be forgotten, but that was a beautiful place that we both jointly visited. It actually is somewhat threatened by urban sprawl, as you recall. So, anyway, keep an eye on that for us.

I also can't help but also want to encourage you to come to Florida to learn about our beautiful Everglades, the Everglades National Park and our National Wildlife Refuge down there. We really have a tremendous national treasure that, for you westerners, it's probably a little difficult to grasp the beauty and the importance of it, but I really want to help educate you with that. I think it would be a terrific opportunity for you to get to know a different and very diverse part of the State, but one that has tremendous importance to our environment and to our ecosystems in the State of Florida.

Senator SALAZAR. I'll come if I get to wrestle an alligator as—

Senator MARTINEZ. We'll arrange that.

[Laughter.]

Senator SALAZAR. You can do that, right?

Senator MARTINEZ. You—

Senator SALAZAR. We'll be there.

Senator MARTINEZ. You now have asked, so we will fulfill that request for sure.

[Laughter.]

Senator MARTINEZ. The city of St. Augustine—and this is another one that I think you will have some interest in—the city of St. Augustine and Pensacola. St. Augustine, of course, is the oldest city in our country, much older than Jamestown and Williamsburg. It is, in fact, the birth of our modern culture and civilization in this

continent. So, in the next few weeks and months we'll be celebrating the 450th anniversary of the Spanish coming to Florida, and—of course, in St. Augustine and Pensacola. I know of your own heritage, how proud you hold it, and I just hope that maybe we'll get an opportunity for you to participate in some of that as time goes on. It's going to be a terrific thing to be a part of.

On more controversial policy issues, I love my dear Ranking Member, and we generally agree on the offshore issue, but there are some—you know, the devil is in the details. As it comes to the State of Florida, we really do have some concerns about offshore drilling. We want to make sure that States remain and are allowed to maintain an option of when and where drilling should take place, particularly if it may impact their environment, it may impact their way of life, it may impact their economies. So, I look forward to chatting with you more on that.

In addition to the environmental issues and the economic issues, we have a very important military issue. As the 5-year plans are drawn, the military mission line, which was preserved to allow Eglin Air Force Base and NAS Pensacola to maintain their training mission over the Gulf of Mexico—these are terribly important issues for us in the State of Florida.

I have no questions. I just want to tell you how much we're going to miss you and how proud I am of you, and delighted that we've had an opportunity to become friends here in the Senate. I look forward to continuing our relationship in your new assignment.

Senator SALAZAR. If I may, Chairman Bingaman, just a personal point of privilege with Senator Martinez.

I, too, recognize the historicity of our election in 2004 and have very much appreciated the friendship that we have shared. I look forward to continuing our work together on a number of things in Florida. As I said earlier on the OSC, in some ways—and I know that's an issue that many of you are concerned about in this committee—we have a great opportunity in front of us, because, essentially, nothing has been written. If you look at the 5-year map that we have on OCS, you know, the frontier zones that have been described there really are a few places in Alaska and some off-coast in Virginia, but we need to take a look at the map, and we'll do that in consultation with all of you and with the local stakeholders and with the State, to see whether we can come up with something that makes common sense. I know the particular concerns of Florida and the military concerns with respect to Gulf Coast development off the west coast of Florida. So, I look forward to working with you on those revisions.

Senator MARTINEZ. Thank you. I appreciate your sensitivity to these issues. I think that the issue really is to work together on how we do it, because I think drilling in the Gulf of Mexico—and I know the Senator from Louisiana and I have worked together on compromises and reaching accommodations that can allow for drilling to take place in the Gulf, but it does it in a way that is compatible with what we need to preserve.

Thank you very much.

The CHAIRMAN. Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman.

Since this is on its way to being a full-fledged bouquet-tossing contest—

[Laughter.]

Senator WYDEN [continuing]. I just want to say how much I'm looking forward to such a good and decent man heading the Department of Interior as Ken Salazar.

You have some very heavy lifting ahead. In the political suites at the Interior Department, they have regularly been trampling on good science. That's where Jack Abramoff went, that's where Steven Griles went, that's where Julie MacDonald worked. You now have to go in there and drain the swamp, and America has heard you say, this morning, to your credit, that that is priority No. 1.

Now, let me start with Julie MacDonald. She was overseeing the Fish and Wildlife operation. It was clear she had a political agenda. She resigned, after I pushed for it, and we sought a review of the decisions she made that we knew were politically tainted. Regrettably, Secretary Kempthorne sought a review of only a modest number of those MacDonald decisions. I sought to almost double the number, and the inspector general found that almost double the number of decisions that Secretary Kempthorne sought to review were politically tainted.

So, my first question to my friend is, since these decisions are being revised, but they're being used for a host of projects and land-management decisions now, how do you envision going in there and correcting those tainted decisions that have so much influence on public-lands policy?

Senator SALAZAR. Thank you, Senator Wyden, and thank you for your kind words and your friendship over the years, and your guidance on so many different things over time.

My response is twofold. First, we will review what decisions have been made and see whether there is action that is necessary in order to be able to correct the decisions to make sure that they're in compliance with the law and to make sure that they're in compliance with the science. There's no substitute for good science to guide the kinds of issues that you talk about with the Fish and Wildlife Service. So, we will make sure that that's what guides us as we move forward with decisionmaking. I will assure you that the people that we will bring in to oversee those efforts will be people who will make the calls based on the balls and strikes of science, not on the balls and strikes of politics.

Senator WYDEN. I'm encouraged, colleague, by some of the people you're talking about bringing in. If you could have them get back to me, and Senator Barrasso in particular—we chair that subcommittee—and, obviously, our chair and ranking minority member—with a timetable for correcting those MacDonald decisions—they have such an impact on lands policy, because, in effect, right now decisions are being made on the basis of those politically tainted judgments. So, I appreciate your answer there.

Let me turn to one other important ethics area, and that's Minerals Management Service. The headlines recently, there—I'll just quote—were "Sex, Drug Use, and Graft," in effect, being what seemed to have occupied a substantial amount of time there at the Minerals Management Service. The Chairman has introduced, I think, a very thoughtful, long-term approach for dealing with it.

Senator Barrasso and I have introduced a bipartisan reform effort to, again, get an ethical compass back at Minerals Management. What Senator Barrasso and I have called for in our legislation, for example, is to implement all of the Interior—excuse me—the Interior inspector general’s recommendations for Minerals Management. We also seek to make the director there subject to Senate confirmation.

Now, I’m sure you haven’t had a chance to review the all-important Barrasso-Wyden legislation, but your general thoughts on fixing Minerals Management, including implementing the inspector general’s recommendations, and, in a general way, your thoughts about our legislation or other approaches.

Senator SALAZAR. Thank you, Senator Wyden. I think you and Senator Barrasso have put your finger on an issue that obviously needs review. As the inspector general found, he had a number of recommendations. We will take a look at those recommendations. We’ll take a look at your legislation, as well as the legislation of—that Senator Bingaman has introduced, and hopefully, in the months ahead, be able to move forward some kind of a royalty reform package that also will address MMS. You know, I’m aware of the fact that MMS does not have an organic statutory act for its basis, and so, I think it is prime time for us, as we look at all these minerals-management issues and trying to clean up the messes that MMS has been involved in, to move forward with a comprehensive approach. We will be working on that, beginning day one.

Senator WYDEN. Mr. Chairman, we have many colleagues here. I think, with your leave, if I could submit some additional questions in writing.

The CHAIRMAN. We’ll be glad to include those questions in writing.

Senator Burr.

Senator BURR. Thank you, Mr. Chairman.

Ken, congratulations. Welcome. I think every member probably hopes that the Chairman will move your confirmation as expeditiously as we can, and I see no reason that that can’t happen.

I think Mel probably just left to go buy you flowers—

[Laughter.]

Senator BURR [continuing]. Given the exchange that I heard. But, I think most of us hold you in very high regard.

The first observation I would make, Mr. Chairman, is, you’re the nominee today; you can still back out and—

[Laughter.]

Senator BURR [continuing]. Stay in the Senate, and possibly—after all the questions that you hear and the magnitude of the challenges that Congress will pressure you to look at. At the end of the day, I realize that you’ll be part of an Administration who has a President that will set the agenda; and a number of us have had conversations with him, and we feel very comfortable as to where he’s headed. At the end of the day, it’s your responsibility to carry out those wishes—his wishes—and to hopefully work in coordination with the Congress. I have no doubts today that you will do that.

As part of this process, though, it's important that we do ask some questions, and I want to ask you two very specific questions.

In the EPO Act of 2005, it established a national program to develop oil shale and oil sands, including a programmatic environmental impact assessment and other activities necessary for full-scale leasing of Federal lands. In December 2005, DOI issued five research-and-development demonstration leases on public lands—all of them in your State, if I remember, managed by BLM.

Senator SALAZAR. Yes, I wish those oil shales were in your State, in the Carolinas.

Senator BURR. I wish we had the oil shale.

[Laughter.]

Senator BURR. It's my understanding that the final commercial oil-shale leasing regulations for Federal lands will, in fact, take effect January 17. Under what circumstances are you willing to support commercial competitive leasing on public lands?

Senator SALAZAR. Senator Burr, first of all, I appreciate the kind comments, and appreciate the work we've done on veterans affairs and other issues over the years, and look forward to continuing to work with you on many issues. On this specific issue with respect to oil shale, you know, my view has been that we need to look at it as part of a comprehensive energy plan, but we ought not to be reckless and thoughtless about how we move forward. The reality of it is, in my State of Colorado, where 80 percent of the oil shale reserves are located, the current director of Lands and Minerals, the assistant secretary, has said that he doesn't believe that there's going to be any commercial development until the year 2016. The companies themselves have said the same thing. So, my question has become, Why do we need to move headlong with commercial oil shale leasing at this point, when I supported, as did this committee, in 2005 in the Energy Policy Act, the legislation that created the research-and-development program that will tell us whether or not we can, in fact, develop commercial oil shale? I mean, it is rock, rock, rock, and we don't have the answers to some very important questions, including how much water is it going to take, which is an important question for the West, places—Colorado, Utah, Wyoming; two, How much energy is going to be consumed to melt the oil from the rock? None of those answers have been given to us yet. That's why I think the research-and-development phase that has been underway is very important.

Like with all other rules that have been issued in the last days by the Administration, we'll take a look at them and see what's workable and see what makes common sense as we move forward.

Senator BURR. I appreciate the answer, and I know you understand that technology will only move so far if, in fact, they're not certain about what the future looks like. I think it's important to do exactly what you said, and that's to evaluate these preliminary steps, but let's make sure that they're evaluated fairly and not affected in any way by artificially suggesting there's not going to be a fair, open, competitive process for these lands in the future if the technology and the research proves itself.

Last question. In April—last April—the Department proposed a rule to allow carry of firearms in national parks where it would be authorized by State law. Final rule was published in December and

took effect last week. The change was proposed after 51 Senators signed letters to Secretary Kempthorne requesting that the Department revisit the issue in light of changes in State law over the last 25 years.

Also last year, you joined a majority of the members of this committee in voting for the legislation to make such a change. Now two lawsuits have been filed to overturn the new rule.

Do you commit, when sworn in, that you'll aggressively defend the rule against those lawsuits?

Senator SALAZAR. Senator Burr, it's a very good question that you asked, and a very important one that I know many people are watching for in this hearing. Let me say, first, that the President-elect has a good respect for the Second Amendment and the articulation in the recent Supreme Court decision.

Second, I grew up with a gun often next to me, either watching sheep out in the prairie or next to my bed at home for self-protection. So, I have my own sense of the importance of guns and gun ownership and what all that means.

This particular rule that has issued is not one that I have yet reviewed. It is subject to litigation. We'll take a look at it, once we get to the Department, and see what makes the most sense in the context of national parks and also in the context of the second amendment.

Senator BURR. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Sanders.

Senator SANDERS. Thank you very much, Mr. Chairman.

The CHAIRMAN. I'm sorry. I guess Senator Menendez was prior; I didn't see him come back in.

Senator MENENDEZ. OK.

The CHAIRMAN. OK. Go right ahead.

Senator SANDERS. Senator Salazar, welcome. You have an awesome responsibility on your shoulders, but I am confident that you're going to do a great job in taking on those challenges.

I was very pleased to hear, in your remarks, your understanding about the crisis of global warming, your understanding about the absurdity of us spending many, many hundreds of billions of dollars every year importing foreign oil into this country, and the need to move toward energy efficiency and sustainable energy. I know that you believe that very much, and you're now in a position to make some of that happen.

One of the concerns that I have is, the distance between Washington and the rest of the world and the rest of our country is just very, very far. We talk and talk and talk, and people don't see anything happen. I would hope very much, with your leadership, with President Obama's leadership, that we could bring some concrete—real, concrete changes so people understand what sustainable energy means, what energy conservation means. I suspect that, within the next few months, more money is going to come into those areas than probably in the whole history of our country. That's a great step forward, if we use that money wisely.

One issue that I want to just briefly get your response to is, I believe that one of the technologies, of many that are out there, to

move quickly to bring us clean, sustainable energy, is solar thermal power plants. This is a technology that, according to some experts, can take advantage of the fact that the Southwest has been called the “Saudi Arabia of solar energy.” It is sitting there waiting to happen. We have talked about it, and we have talked about it, and it still is not happening, and the crisis, in terms of credit right now, has made it that much more difficult.

(A) What are your feelings about the potential of solar thermal power plants in the Southwest? What role can the Federal Government play, given the credit crisis right now, in pushing this technology forward, in your judgment?

Senator SALAZAR. Senator Sanders, thank you, as well, for your friendship and your camaraderie and guidance and sharing advice over the years.

Let me say, you know, I think solar has great potential. It’s not just solar photovoltaic, but also the concentrated solar power that you speak about. The technologies there, as the National Renewable Energy Lab will tell you, is a technology that is moving quickly forward. But, we know that we are not in a place where we are simply striking out at something that is not proven. In my State alone, as we spoke yesterday, I spoke about the 10-megawatt power plant, in the San Luis Valley, which will grow to 100 megawatts. We both spoke about the 300-megawatt power plant in the deserts of Arizona, that Arizona Public Service Company is constructing, and others. So, I think there is huge potential. I think that solar has got to be one of the crown jewels, if you will, as we move forward, to creating this house of energy independence.

I will be working on that agenda. It’s an agenda that President-elect Obama and I very much share. Part of the challenge that we will face is how do we create all of this energy in places that are sun-drenched, like New Mexico, Arizona, the San Luis Valley, other places, and get it to the places where it has to be used? Part of that is going to be dealing with my Department on the issues of siting, as well as dealing with the issues of transmission. It doesn’t do any good to produce the energy if you can’t get it to the place where it’s going to be used. So, I look forward to working with this committee, to making it a reality, and to make sure—I would not be taking this job, Senator Sanders, if this was about talk and no action. You know, I think, on this whole agenda, the time for talking has ended; it is time to get down to the business of getting it done.

Senator SANDERS. Thank you very much. I would hope that, within the first 4 years of the Obama Administration, we can, in fact, construct a number of solar thermal plants and show the world that we are serious about this technology.

The other question that I would ask is, Will you use your office, and the many facilities under your jurisdiction, to demonstrate to people how we can move forward, in terms of energy efficiency and sustainable energy? There is a very strong to be made that if the Government—the U.S. Government itself, which is a huge consumer of energy, which certainly millions of people every day interface with—that if we are using solar, if we are using wind, if we are using energy-efficient vehicles, we can have an impact upon our whole economy and educating the public, as well. Is that some-

thing—a mission that you see possible for that—for the agency of the Interior?

Senator SALAZAR. Absolutely. It is the President-elect's mission, and we will be part of that mission as we take this energy moon shot. We know that conservation and what we do with Federal facilities, we can serve as examples to the rest of the world. So, the answer is yes.

Senator SANDERS. Ken, we wish you the best of luck, and I'll certainly be working with you.

Thank you, Senator.

The CHAIRMAN. Next would be Senator Barrasso, then Senator Menendez.

Senator BARRASSO. Thank you very much, Mr. Chairman.

Senator Salazar, congratulations. It's been a privilege to work with you in the Senate, to serve with you on this committee, to co-sponsor a number of bills together. We are neighbors in Colorado and Wyoming, and we have many similar issues. I know you're going to do a terrific job as the Secretary of Interior. I'm looking forward to working with you over the next 4 years.

With that, I do have a couple of questions, Senator.

Senator SALAZAR. Thank you, Senator Barrasso.

Senator BARRASSO. We'll start with the easy one, because you were going to wrestle alligators with Senator Martinez, but, I'll tell you about—also invite you to Wyoming to deal with the wolves of Wyoming.

There was a ruling that came out yesterday that said that wolves were removed from the Endangered Species Act, the listing on the Endangered Species Act, and were moved—removed from the list in Montana and in Idaho, but not in Wyoming, due to a recovery plan that—the Department and judges were not happy with—fully happy with the Wyoming plan.

It would seem to me that the wolf is either endangered or not, and depending on which side of a State line the wolf happened to be shouldn't impact on if that wolf should be listed or not, because these things move around.

So, my question is, Do you believe that, when a distinct population segment of an endangered species has been found to recover—to be recovered, by the Department—and the Department has found that the wolf has been recovered as a species—that the entire population should be delisted—and will you work with the Government to make sure that gray wolves are delisted in Wyoming as soon as possible?

Senator SALAZAR. Senator Barrasso, I appreciate the question, and let me take the opportunity to say that the Endangered Species Act is an important law, and I think it has, in fact, worked in a way to preserve God's given creations so that your children and my children and our grandchildren will be able to see that creation here on this earth. You know, we have some major challenges, but we have had some frustrations, but also some major successes with respect to its implementation. I was one of the originators and creators of a recovery program for the whooping crane on the South Platte River which involved your State, Colorado, and Nebraska. I've been involved in the seven-State Upper Colorado Recovery Program, which is working well. I don't know about—

enough about the rule and the decision that was issued by the Department of Interior yesterday with respect to the gray wolf. We will take a look at, we will study it and make appropriate decisions.

Senator BARRASSO. I would ask that your Department work closely with the State of Wyoming to have the same wolf delisted, that is delisted from Idaho now and Montana, also delisted from Wyoming. The same species are just crossing the border, and, in terms of where they are on an imaginary line, it seems to me that we can do a better job than that. So, thank you, I appreciate your help.

Senator SALAZAR. Let me, if I may—and I probably should not be argumentative with Senators whose votes you want; and I think you already told me you're voting for me, so I can be argumentative with you.

[Laughter.]

Senator BARRASSO. I said you had my vote and my support, but, more importantly, you had my friendship.

Senator SALAZAR. Here's the deal on these recovery programs. You know, they are multi-State in nature because the species don't know the political boundaries like you and I know the political boundaries. OK? So, that will be one of the issues, Senator Barrasso, that we're going to have to take a look at on this decision.

At the end of the day, these ESA decisions that are being made have to be based on the science. We'll take a look at it. I don't—you know, haven't been involved in the decisionmaking, and haven't seen what Fish and Wildlife Service did with respect to looking at the gray wolf and the numbers, but there's an opportunity to take a look at it under the law, and we will take a look at it.

Senator BARRASSO. Thank you.

Following up with the Endangered Species Act and the role, and asking about the Obama Administration, if they believe that Congress—when the Endangered Species Act was created in 1973, if they envisioned the Act becoming—if you think that the—believe Congress thought that that Endangered Species Act had anything to do with climate change. You know, we look at some of the things that are coming down the line with the listing of the polar bear, and what impact that might have on the Lower 48 States, in terms of construction and agriculture development and other projects. I would ask about the role of the Endangered Species Act in global warming.

Senator SALAZAR. You know, there is no doubt that climate change and global warming is having an impact on a whole host of important natural features of this world, including the species that we have. It's something that we will take a look at as we look at climate change within the Department of Interior and within the Obama Administration.

Now, the role that the ESA will play into all that, that's something that we will take a look at as we move forward, but I don't have a specific answer to your question on that today.

Senator BARRASSO. OK.

Mr. Chairman, I think my time is expired. If there's a second round of questions, I'd like to ask a few more questions.

Thank you.

The CHAIRMAN. Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

This is a bittersweet hearing for me. My hermano, as we call each other, "my brother," is going to go serve the Nation, he's going to leave the Senate, where he has served with such distinction. For those of us who are Americans of Hispanic descent, it reduces our ranks by one, but I know we're going to have a strong advocate in the Administration.

Now, I may not be a westerner, Senator Salazar, but that doesn't make our part of the Nation immune to the impact of the Interior Department. So, I have some provincial questions that I want to ask you.

But, before that, I want to ask you an overarching question. I've heard you talk about energy, both as a member of this committee and in this new assignment. How do you see your role in this galaxy of energy advocates—how do you see the role of Carol Browner versus the role that you're going to play? What role do you see yourself playing in this respect?

Senator SALAZAR. Thank you, Senator Menendez. I, too, will miss you greatly, because we've done so many things over the years. We'll, frankly, have an opportunity to work on so many issues in the future. You are an hermano, a brother, and I will never forget that. I will also say, formally in front of this committee for the transcript of this hearing, that Bob Menendez speaks both English and Spanish a lot better than I do.

[Laughter.]

Senator SALAZAR. So, you're not losing anything, in terms of linguistic proficiency with my departure.

Senator MENENDEZ. I hope you're not filibustering on my questions, my provincial questions.

[Laughter.]

Senator SALAZAR. Having said that, on your—let me just—one observation, and then a response to your question.

I would hope that one of the things that you can do, Senator Menendez and the rest of this committee, is not to look at this Department as a Department of the West, because it is not. It is as much a Department of the Statue of Liberty and Ellis Island as it is the Department that oversees the BLM lands of New Mexico. I think, for far too long, this Department has been seen as something off to the West. I want us to change that image and that brand for the Department of Interior, and I think this committee and—on the Democratic side and the Republican side, is a primary engine of helping us change that reality of what the Department of Interior is, whether it's with respect to historic preservation or the OCS or a whole host of other issues. So, I would hope that you can help me do that.

Second, with respect to your specific question on my role, you know, my conversation and my agreement with the President-elect is, I report to him. The President-elect asked me to leave this U.S. Senate post to help him change the world. I believe he can change the world, and I believe he is a transformational figure that can

help get that done. But, I work for him. That means that I will play a keystone role in helping to craft the energy agenda. I would not have taken this job if I was not given the assignment to help craft the energy moon shot that we will take, in part through the economic stimulus package that will be crafted and then through energy legislation that will hopefully be before this Congress before too long. So, that's the kind of robust role that I intend to play, it's the kind of robust role that was offered to me in this position.

Senator MENENDEZ. I appreciate and look forward to that.

Now, let me get to some specific issues that I—I want to have you—will you make a commitment to come with me, after you're settled in, to the New Jersey/New York region? We have two issues.

The crown on the Statue of Liberty, since September 11th, has been held to a bureaucratic shackle. To your credit, you offered an amendment, that the President-elect voted for, to free up the Statue of Liberty, including the crown. So, I hope you will come, after you're the Interior Secretary, with me to the Statue of Liberty, help me break the shackles on the crown, as well as to Ellis Island, which is next door, where we have a public-private partnership going on to restore the whole section of the island that, in fact, is in New Jersey territorial waters, as a result of a Supreme Court decision, that was our whole public-health system, where immigrants who came through at that time went through there. But—we've gotten some money to sustain it, because it was totally ready to fall apart, but we have a public-private partnership. It has languished with the National Park Service. You know, we could get a very significant commitment from the private sector to go in.

So, I hope you will come with me, after you're settled in, let us free the crown. I'm sure there is an intelligent way to do that, for some type of limited access to it. Let us make sure that the public-private partnership works, so that we can restore the whole access to Ellis Island on the side.

Then, finally, I hope—as you know, I'm in the minority on this committee on this issue, but it is critical to my State, in terms of the issue of offshore drilling. New Jersey's second part of its economy is driven by tourism, and that tourism would not take place, except for the New Jersey shore. Several years ago, we had medical waste lined on our beaches, and that created a huge problem for our economy for several years. So, I hope that you will work with us and give coastal States like mine a seat at the table as we move forward on the question of what is appropriate in offshore drilling and what is not.

The CHAIRMAN. Senator Cantwell.

Senator SALAZAR. I'd be happy to respond—

Senator MENENDEZ. Mr. Chairman, could I just—

The CHAIRMAN. Oh, yes. Senator Salazar, did you wish to respond?

Senator MENENDEZ. Thank you.

The CHAIRMAN. Go right ahead.

Senator SALAZAR. I noticed that his time was up, that's why I looked to you for permission.

The CHAIRMAN. See, I thought you were looking for me to move on to the next question.

[Laughter.]

Senator SALAZAR. Let me just—

The CHAIRMAN. No—

Senator SALAZAR [continuing]. Respond, if I may—

The CHAIRMAN [continuing]. Disrespect.

[Laughter.]

The CHAIRMAN. I'm well aware of that.

Senator SALAZAR. Let me, first, say that, with respect to Ellis Island and the Statue of Liberty, first, I do commit to coming to— with you to New Jersey and New York and visiting those sites and understanding more about why those restrictions were put into place. I don't know enough about why those restrictions were put into place, but we will, frankly, examine those together and make the appropriate decisions on how we move forward. I understand the historicity and great importance of Ellis Island, and we'll make sure that that's a priority, in terms of how we move forward in my Department.

Let me—on your last point, which I think is the one that I have seen you get passionate about at least a dozen or so times before the U.S. Senate the last several years, and that's on the OCS and making sure that the stakeholders are at the table. The answer to that is yes. You know, we need to make sure that, as we move forward with a comprehensive energy plan that might include drilling in some areas on the OCS, that those communities and those States that are going to be most affected certainly have a voice and are at the table.

The CHAIRMAN. Senator Cantwell.

Senator CANTWELL. Thank you, Mr. Chairman.

I, too, want to add my congratulations to Ken Salazar. We are going to miss you. It's been a pleasure to be a seatmate with you on the Finance Committee and to hear your voice on energy issues. I want to say that for the Interior Department to have somebody who has expertise in water rights and management issues is of utmost importance. Your passion on the Land and Water Conservation Fund will be put to good use in the Department of Interior, and certainly your passion about energy issues, particularly siting of transmission, really will help us in this effort. So, I look forward to working with you on all those issues.

If I could—I don't know that anybody's asked you about mining reform, the 1872 mining law, but clearly the reform of that legislation is long overdue. To me, it's critical to protecting our environment and our economy. So, I wanted to ask you, if I could, if you're aware that the Environmental Protection Agency is estimating that the abandoned mine cleanup price tag is at least \$32 billion, and the estimates are that 40 percent of western headwaters are contaminated by runoff from abandoned mines. I don't know if those are numbers that you're familiar with.

But, my question is, What will you do to support strong mining reform, including strong reform of the royalty regime?

Senator SALAZAR. Thank you very much, Senator Cantwell. I, too, will miss you, and will miss your work and your leadership on so many of the energy issues that are so important to the country. But, I do believe that, with you and the members of this committee, we're going to, this time, not miss the moon shot on energy

independence that we fought so hard together for. So, this is our time, and we're going to get it done.

Let me say that, with respect to the—with mining—with respect to mining reform, you know, the 1872 mining law, which I've worked on a for a long time and know it well, is something that needs to be changed. It's amazing that, over 130 years later, the law has not been changed. The reality of the United States of America has changed significantly in that century-plus, and yet, the law remains the same. So, I look forward to working with this committee. I know there are several proposals out there on changes. I think they're already—there are parts of reform that can be agreed on relatively easily, there are others that are—that may be more difficult. But, we will work on it to try to finally get across the finish line a reform to the 1872 mining law that does make sense.

Second, with respect to abandoned mines, I know the reality of them, because we have tens of thousands—I think it's about 100,000 in the State of Colorado—that are abandoned mines, and they create the kind of circumstance that you describe. You know, as orphaned mines, with nobody having ownership over them, they essentially are a scar on the public domain that has huge environmental consequences on our streams, especially in some headwaters areas. There's been a reality that there hasn't been the money to move forward with abandoned mine reclamation. We need to look at that and try to come up with some solutions.

You know, I've been the sponsor of Good Samaritan legislation here for the last several years. We haven't gotten that across the finish line. But, there may be ways in which we can get nonprofits and—as well as the private sector, to come to help us deal with that issue, which really is an issue that affects, not only the West, but a large part of America.

Senator CANTWELL. Since you said you knew the 1872 mining law very well, I want to follow up, if I could, on a few questions.

One of the issues is obviously that mining, under the current law, always is interpreted as the highest use on that land, and thereby permitted. So, would you require those new mining operations to be balanced with other things, like water-quality standards and other uses, so that mining wouldn't always be the highest and best use?

Senator SALAZAR. Let me say that that, as we look at reform for the 1872 mining law—it's a law that was written before there was any sense of consciousness in the world, or here in America, with respect to issues like reclamation and impacts on water quality from mining operations, and those sorts of things. So, the kind of reform that does need to take place needs to bring a law, which is a very old law, up to the kind of modern understanding that we have about the impacts of mining.

Now, I'm not against mining; don't—you know, I don't want to get somebody thinking that I'm against mining, because I understand the importance of our mineral assets and putting them to good use. But, I think—

Senator CANTWELL. But, things like strict water-quality so that pollution of drinking water isn't happening, those kinds of standards, you're willing to put stronger standards in place?

Senator SALAZAR. We do need stronger standards than what are set forth in the 1872 mining law, and that will be part of the discussion and dialog that we'll engage in as we try to work with you and others to put together a reform that is sensible, that is—that makes common sense, and that ultimately can garner the votes of the members of the House of Representatives and the United States Senate.

Senator CANTWELL. Thank you. If I could, I'd like to put a point in about the national parks and the funding. Again, you're a champion of the Land and Water Conservation Fund—but, we have had park layoffs, we have maintenance backlogs. These are some of the crown jewels of our public-lands system, and we need to do more to maintain them. So, I'll look forward to working with you on that.

Senator SALAZAR. Thank you very much.

The CHAIRMAN. Senator Dorgan.

Senator DORGAN. Senator Bingaman, thank you.

Senator Salazar, we're all very proud of you and wish you well. We'll miss you here in the Senate, but I know you're going to do a great job as the Interior Secretary.

I would like, to mention a couple of items, and then you could respond to them. You and I have had a chance to visit and talk about these items.

First, the Bureau of Indian Affairs. I think it is a horrible mess. It is a serious problem in many, many ways. The most significant unemployment and poverty in this country, the most significant challenges with law enforcement, housing, education and so on exist on Indian reservations, and I believe three out of the last 4 years we haven't had an Assistant Secretary for Indian Affairs.

It's just been an unbelievable mess in a lot of ways. It's bureaucratic. There are buildings that have been built on reservations that are completed, sitting empty, completely empty because somebody in the BIA hasn't yet signed a lease in the building. Somebody's got a job and doesn't do it. So fix the BIA. You'll do that, right? Anyway, I'll give you a chance.

It is just an unbelievable mess, and it is so frustrating from my position as chair of the Indian Affairs Committee. We have worked together a lot on these projects, and I'm anxious to continue to work with you.

Interns of water projects, North Dakota was the recipient of an agreement with the Federal Government some 50 or 60 years ago now. If we would take a flood the size of the State of Rhode Island and keep it forever. If they could build a flood in North Dakota in the middle of our State and keep it forever, they'd give us some benefits. So now they can play softball in the early spring evenings in Missouri because we've tamed the Missouri River by creating a permanent flood in North Dakota. But 50 years later, North Dakota still hasn't received all the benefits that were promised us.

We have the costs, and the flood, but we don't have the benefits. You and I have talked about the water projects that are supposed to flow from that, and I hope very much for your support on those projects, especially now the Red River Valley Water Project which is so very important.

The Interns of National Park Service, you've had an experience in Colorado. We have, for example, an elk herd that's far, far too

large for the Theodore Roosevelt National Park and the Badlands, so they need to thin it. The first notion was maybe they'll hire some Federal sharpshooters and have some helicopters helicopter out the meat. Well, that's just dumb.

The way to do it, of course, is to allow qualified hunters to come in and thin the herd and take the meat home. They do that in other parks. I think one is in Colorado. We need to exert some common sense on those issues and that's just one example.

On an Indian reservation in North Dakota, we're trying to get the Interior Department to establish a one-stop shop where we bring together four agencies into one location so that they can drill for oil on the reservation. They're drilling north of the reservation, west of the reservation, and south of the reservation. Yet, there's a 4-step process, as you might expect, in the bureaucracy to get a permit to drill for oil on the reservation. So everybody around it is experiencing the benefits of drilling but that area where it would be most important, it seems to me, to address poverty issues and so on, there are just a few wells being drilled.

So those are things we've talked about and I hope—I know that you've spent some time thinking about some of these issues. I really want to work with you. I'm especially pleased that someone from the Senate's going to be there and that you will be able to take our telephone calls and go to New Jersey, as Senator Menendez has suggested, and I hope you come to North Dakota, as well.

Would you wish to respond to a couple of those items, Senator Salazar?

Senator SALAZAR. I'd be delighted to do that, and first let me say, Senator Dorgan, I admire your advocacy not only on the New Energy Frontier but also your advocacy on issues relating to Native Americans, and as I indicated to you in one of our private conversations, I will never forget being the chair, the presiding officer in the U.S. Senate when you were making the arguments on the reauthorization of the Indian Health Care Act. I was proud to join you, in part because I strongly believe that you are right and the passion you feel is the same passion that I feel about making sure that the most vulnerable of our communities in our Nation are in fact brought to the table and given the kind of opportunity that the rest of Americans seem to have.

I think the fact that we have not had an Assistant Secretary of Indian Affairs in the Department of Interior for 4 years is, frankly, a slap in the face to the Native American communities and to the responsibilities under the law of the Department of Interior.

I have someone on the hook that I think will make you very proud, if he agrees to do this job, and I think will be able to address many of the problems that really have gone, frankly, without attention, including the issues of health care and education and law enforcement and the rest of the issues which you have so passionately spoken about. So it will be on my personal radar screen and it will be high on the radar screen.

With respect to the water projects, we've spoken about the water projects. I will take a look at them. I need to find out more about them and exactly what the status of them is, but I promise you that it is something that we will take a look at.

On the management of the elk herds, yes, the truth of the matter is that we need to manage our wildlife in a way that makes sense, and I know this is a very complex and difficult issue, but at the end of the day, we need to find some common sense solutions, and I look forward to working with the Park Service on that, as well.

Finally, on the one-stop shopping issue relating to drilling on the reservation, it seems to me to make sense. You know, if all the way around the reservation you basically have a process that has been expedited, you know, in my State, I mean what's going on in my State now in terms of drilling in part has happened because of what we did here with the 2005 Energy Policy Act which expedited some of these things, but I don't think that the Indian reservations should be disadvantaged by a system which has them go through 43 different steps. So we will work on that and try to streamline it.

Senator DORGAN. Senator Salazar, you inherit a very big bureaucracy and a very important agency, and I don't mean to tarnish or diminish that agency at all, but I was thinking, as we were talking, one of my first experiences with your agency was when the prairie dogs took over a very small picnic area in the Theodore Roosevelt National Park and the Park Service decided that they were going to do a study on how to move the picnic area, which had just a few benches. They came up with an idea of spending a quarter of a million dollars to move the picnic area and I said, "Well, you know, a couple 16-year-old boys that I know can move the prairie dogs and do it in a day or two," but I lost and so then later I went to them again.

I had read a piece where a fellow from Oklahoma had invented something that was a vacuum where you could actually vacuum prairie dogs and would put them into a back of a truck with mattresses in the box and then sell them for pets in Japan.

So I went back to the Forest Service. I said, "I've got a better idea for you," but I've never been successful in convincing them that any of these ideas have merit.

My only point is that whether it's thinning an elk herd or reclaiming a picnic area or doing anything like that, I really hope that we can use a bit more common sense and get somewhere above the bureaucracy on some of these decisions. Your service in the United States Senate has been marked by that notion of common sense. That's why I'm so pleased to support your nomination, and I wish you well. I think you're going to do a great job.

Thank you very much.

Senator SALAZAR. Thank you, Senator Dorgan.

The CHAIRMAN. Senator Udall.

Senator UDALL. Thank you, Mr. Chairman. I know there are a lot of Coloradoans here today and I want to make sure the record is clear. Senator Salazar is and will always be my senior Senator and it's again such a thrilling day for all of us to consider the possibilities.

Senator, if you might, I know the concerns but also the opportunities that surround coal production and the use of coal are front and center for us. I'd like to hear you talk about how the Department of Interior can drive some of these new technologies of capturing and sequestering carbon emissions and at the same time en-

sure that we have a robust coal production industry. If you'd talk about your vision in that area, that'd be terrific.

Senator SALAZAR. Thank you, Senator Udall, and let me just say that I'm very, very proud to be able to call you Senator and also very proud of the fact that you're part of this committee because you join one of the committees that has one of the signature issues of our time in its hands and you will bring to it the kind of passion that you brought to renewable energy and a whole host of other things shared by the members of this committee. So you will do well and I look forward to our continuing friendship and our working relationship, as well.

Let me say a word about coal. Coal is a controversial subject. The fact of the matter is that it powers today much of America and there are jobs related to what we do with coal, as well, and so one of the challenges that we face is how we move forward with the kinds of clean coal technologies that this committee has talked about at some length over the last several years.

As the author of several pieces of legislation, including the Carbon Capture and Sequestration aspects of legislation that this committee authored, and I believe that we will move forward with the funding of some of those demonstration projects so that we can find ways of burning coal in a manner that doesn't contribute to our environmental challenges with respect to climate change, and I would hope that, as part of what we are able to move forward with in our energy package, that we very much have a part of that. I will certainly be an advocate of making that happen.

Senator UDALL. I took time to go downstairs and be a part of a hearing, confirmation hearing in the Armed Services Committee, so forgive me if this question's already been addressed, but one of the real challenges and again, I think, opportunities we have is in the whole area of transmission and building larger capacity, more efficient transmission lines.

Would you care to share with the committee your thoughts on how we meet that challenge of additional transmission, as you talked about in your opening remarks?

Senator SALAZAR. Mark, I think what we—I mean, Senator Udall, I think what we need to do is to be proactive on that agenda and to develop the kinds of transmission corridors that will take us from where we have the opportunities for renewable energy, whether that's solar or whether that's geothermal or whether it's wind, to the places where the energy is needed, and that will be one of the highest-priority items for me in the Department of Interior, as I work alongside the rest of my energy team.

You, who have spent so much time in our valley, I know you have also seen the maps of the United States of America out at the National Renewable Energy Lab that show where our great opportunities are for solar energy and they're in the Southwest and in the southern part of Colorado, but they obviously don't extend to places like Vermont or Maine or other places with—there's some capacity there but not for the big kinds of plants that Senator Sanders was talking about earlier in the hearing.

So one of our challenges will be how do we take the energy as we capture the photons from the sun to create electricity to transmission lines to places where the electricity is actually needed,

whether it's for the plug-in hybrid vehicles that we will see or whether it's for the powering of our homes, and because the Department of Interior has about 20 percent of the land mass of the United States under its control, we will be a very active agent in making sure that those transmission capacities are made a possibility.

Senator UDALL. You talked in your remarks about water and water policy. You come with a deep experience in that area.

I think we have the Colorado Compact in decent shape, but I'm certain you'll continue to pay attention to those important relationships between the Lower Basin and Upper Basin states.

Would you care to comment on water policy and the Colorado Compact?

Senator SALAZAR. You know, during my campaigns, Senator Udall, most of the people in the Denver Metro Area would say that I talked too much about water. So I could spend a lot of time talking about this issue, but the reality of it is that, you know, water is the lifeblood of the West and, indeed, the conflicts and controversies that we've seen in the West, on the Colorado River, any of the other rivers where we've—I've actually been involved in litigation on behalf of Colorado, the U.S. Supreme Court on several different occasions, and those kinds of conflicts are now spreading across the entire Nation. So it is not just a Western issue. We have issues in the southeastern part of the Nation and other places.

I hope to play a constructive role in helping resolve some of those issues and part of it, as President-elect Obama has said in his papers, involves how we manage very precious water resource, how we conserve the water resource, but also new management techniques that can be brought about to the place where we have scarcity with respect to water.

It was one of the inventors or originators of a concept on interruptible supply contracts because of the fact that in our State, about 85 percent of the water was used in agriculture. Some of those concepts are now being implemented via contracts between the owners of water rights and municipal water-holders that require water supply on an ongoing basis, 365 days a year, and so those kinds of management concepts are the ones that I will bring to the Bureau of Reclamation and to our efforts with respect to water.

Senator UDALL. Those are 21st century water concepts and you'll be a 21st century Secretary of the Interior. It's great to see you.

Senator SALAZAR. Thank you, Senator Udall.

The CHAIRMAN. Senator DeMint.

Senator DEMINT. Thank you, Mr. Chairman. Senator Salazar, it will be tempting to call you Ken, so I apologize if that slips in. Maybe Senator Ken will do. Thank you, Mr. Chairman.

I enjoyed our meeting and, frankly, after the press reports I had gotten on your positions on energy, I was afraid your position would be basically to cutoff American energy supply and after we talked, I felt like we were very much on the same page of continuing to try to develop a reasonable balance between domestic energy production of all kinds and protect our environment on all fronts and, as you know, those are not necessarily mutually exclusive.

I did have the opportunity to actually tour in your State, Colorado Springs, a coal generation facility that had a model set-up that was taking about 80 percent of the carbons out of the coal on a limited scale and now they're looking at to try to expand the scale.

So we know with the technologies we have that this is very possible and may be closer than we think. All of us would prefer not to burn coal if we had other alternatives. I was encouraged that you are supportive of nuclear generation and I think we both look at some of this as a bridge to a future with more renewables, non-emitting energy sources in our country for our cars and electricity which I appreciate.

We also talked about offshore drilling which is controversial. I'm interested in the East Coast, particularly for natural gas and the possibilities there. You seem to be open to look for realistic solutions there that are friendly to the environment.

So I very much appreciate that, and I guess, Senator, just instead of specific questions about particular energy sources, I know you've had a lot of questions today, but perhaps just summarize in your mind how we as a Congress, as a country, can look at the importance of American energy supply from all fronts and how we balance that with increasingly environmentally friendly life patterns here in this country.

I know you've talked about that extensively already, but since I'm a little late, I'd just ask if perhaps that—you would talk a little bit more about that.

Senator SALAZAR. Thank you very much, Senator DeMint, and you can always call me Ken. You know, Cardinal McCarrick here in Washington always calls most of the Senators by their first names. He says Senator Ken. So you can call me Senator Ken—

Senator DEMINT. OK.

Senator SALAZAR [continuing]. Or whatever you want. Let me just say that one of the great exciting things of these times are the fact that I think out of our limitations we also have great opportunities, and I think there are inescapable forces that drive us to this new energy future for America and for the world.

When you look at what we did with the New Energy Frontier in the 1970s, it was Richard Nixon that coined the word "energy independence." It was Jimmy Carter that, in 1979, first funded the highest level that we've ever done with respect to alternative energies and then, after that, because of the low cost of oil, frankly, not much attention was paid to this New Energy Frontier.

I think the times are very different today and it's really because of three very important inescapable forces that President-elect Obama and I very much understand and share.

First, national security, and we formed the Set America Free group that worked on a new energy bill here. It was conservatives and progressives, Republicans and Democrats coming together. It's an American agenda that understands that we can't be hostage to the whims of dictators from the Middle East or other places around the world. It's a national security issue.

Second, it is an environmental security issue, as well. I think the debate about global warming is over and we need to move forward

with an agenda that addresses climate change and that's why this energy imperative is so important.

Third, in these difficult economic times that our Nation faces, we will, we believe, President-elect Obama and I do, that part of what we will do for our economic renaissance here in America is take on a new energy economy because we know the kinds of jobs that can be created through this new energy world.

Instead of transferring the huge amounts of wealth that today are transferred to places like Saudi Arabia and other countries in the Middle East that have the reserves of oil, we can have that money invested here in our country which ultimately will be good to helping us stand up our economy again.

Senator DEMINT. Thank you, and I look forward to working with you.

One specific question, I think it may have already been asked but just want to ask for the record, related to individuals' rights to carry guns on Federal property, and you and I—I believe I forgot to talk to you at all about that when we were in our office, but it's something that's come up on the committee before and the department has come out with rulemaking that basically makes Federal lands consistent with local laws, as I understand it.

But there has been some talk of a new Secretary might overturn that or challenge or there might be lawsuits against it, and I would just like to have your opinion on what—and I know in committee we were talking about this amendment which was eliminated from the Lands Bill, but you had some specific language that we adapted into the amendments, so we seem to be on the same page, but is that still your opinion, that the Americans' rights to carry arms should be extended to Federal lands?

Senator SALAZAR. Senator DeMint, I grew up learning how to shoot a gun probably since I was 3 years old. I probably shouldn't have been doing it at that age but started out very early, had guns in my trucks and in my home, sometimes because of where we lived, so desolate and far away, frankly, for self-protection. So I have a healthy respect for guns and I know how to use a gun, and I have a healthy respect for the Second Amendment and the rights that come with the Second Amendment.

The President-elect has a healthy respect for the Second Amendment and with the recent articulation of the Supreme Court with respect to the Second Amendment, as well.

The specific question that you raise with respect to concealed weapons in national parks is an issue that I will take a look at when I review the regulation. I have not had an opportunity to review the regulation that has been issued by the Department of Interior, but I will do that after I am sworn in and move forward at the appropriate time making the common sense decision.

Senator DEMINT. Thank you, Senator. Yield back.

Senator LINCOLN. Thank you, Senator DeMint. The Chairman had to move to the next—

Senator SALAZAR. How fast you move up in the world.

Senator LINCOLN. To his next responsibility and has asked me to sit in for him.

I want to say a very special thanks to our chairman of the Energy Committee and to our ranking member, Senator Murkowski,

for giving us this opportunity today not only to visit with you publicly about so many different issues that are near and dear to all of our hearts but also to say congratulations to you, our colleague, Senator Salazar.

Thank you for all of the incredible blessings and hard work that you have brought to this body. You've been a tremendous member of the Senate and we are all grateful to you again not for just the blessings of your hard work but the blessings of your friendship and in this day and age, it is extremely meaningful because, as I think everyone knows, the blessing of your friendship has been spread across the aisles and all over the place in the U.S. Senate, and we're all just very grateful to have been able to serve with you here and are without a doubt looking forward to being able to work with you in your new capacity as Secretary of the Interior. So we welcome you home to the committee and are excited about the great opportunities that lie ahead in working together as you've always worked with us. So we're very glad you're here and glad for this opportunity for each of us, as I said, to be able to express our gratitude to you for all of the great things that you have brought to the Senate and to the country and will continue in this new capacity.

I know you know as Secretary of the Interior, you will be Chairman of the Migratory Bird Commission, and I am a member of that, along with my friend and neighbor, Senator Cochran, and so I know I'll also enjoy—I'll get to actually see you every quarter, unlike some of my colleagues who might not get to see you as often. So I'm looking forward to that. We do great work with the Migratory Bird Commission and it's good stuff across the country that we can talk about and people are always well pleased because those are dollars that are very well spent and so we're excited about that.

Just a couple questions from me today, and I wanted to—I know you've talked about a multitude of different things, so I don't want to revisit the things you have talked about. I will add my voice to the Land and Water Conservation Fund advocacy. I've been a strong advocate for that fund. It provides matching grants to our states and obviously local governments and it does a tremendous job in terms of its acquisition and development of public outdoor recreation areas and facilities, does a tremendous amount in my home State of Arkansas, and so we want to continue to work with you and certainly pleased with all the comments here today of the broad support for the Land and Water Conservation.

Also renewable energy. I know some of that's been spoken about. It is critically important, I think, for our Nation in lessening our dependence on foreign oil and cleaning our environment, but it's also going to be an incredible tool for job creation and helping us to drive our economy, particularly in rural America.

There is no one more excited about the possibilities of the new energy economy in this country than the people of rural America and particularly those engaged in agriculture and so I know that there will be opportunities there and I know you will have a vision of the opportunities that the Department of Interior will be able to—the role that they will be able to play and we look forward to that.

Just one thing on recreation and particularly recreational lakes. There's so many recreational sites across the country on lands of Bureau of Reclamation and the Army Corps of Engineers. However, the lakes that are located on this land are not always available for public enjoyment because of their agency's limited recreation missions and water management policies.

These challenges are very well documented in the 1999 Report of the National Recreation Lake Study Commission called Reservoirs of Opportunity. The recommendations in the study were never fully implemented.

I'd just like to bring that to your attention. I know you and I have spoken a great deal. I come from a seventh generation Arkansas farm family and I spent most every summer on my summer vacation, family vacation, in a national park, in Hot Springs National Park in Arkansas. My dad was a farmer and couldn't leave the farm. Those were critical times during the summer months when we were out of school and we spent time over there.

Now, those lakes are not actually on those—are on Federal lands. Washataw is a Federal lake but it's managed by the Corps, but it's so critically important. There's so much recreational value here for Americans and during difficult economic times, it's an important place for people to be able to go and to have family time and so I hope that, as we move forward, you know, as we look—one of the ways to expand our economy, you know, encourage and expand local economies, is to really ensure that recreation is given a higher priority in the management of our Federal lakes.

As Secretary of the Interior, I'm hoping that you will work to ensure that recreational benefits are enjoyed at federally managed and manmade lakes, and I hope that you'll look at causes for any decreases in the recreational facilities in these lakes that certainly come under your jurisdiction with the Bureau of Reclamation. So I'm hoping there will be some opportunities there that we can work together.

The other Endangered Species, I'm not sure if it's been brought up, I didn't notice that it had been. One of the key challenges for Federal agencies in making a determination on potential impact of activities on endangered species is the inability to access species location data and hope that you would consider supporting the development of a centralized data base for species location and related biological data for use by Federal agencies.

We've tried this time and time again. Usually we just give it a really crummy name and it doesn't sell, but the fact is, is it's really good information and it's good information to have. It's enormously beneficial to landowners and others who do want to be responsible in whether it is trying to preserve species that may be put on the Endangered Species List or those that have already been put there.

So our hope is, is that we can work together to see some of those things that are extremely productive and useful tools for everybody concerned in trying to reach the same objective.

So I think, other than that, I know in your opening statement I was very pleased to hear your mention about that unfortunately too many people mistakenly believe that the Department of Interior is just a department of the West. Those of us in the middle of the country and particularly in the South don't want to hear that

or don't want to believe that and we're glad to hear that you're going to embrace all of us across this great land with again the tools and the abilities that you have to reflect on what it is that we can do together in this great country, particularly through the Department of Interior.

So I thank you for being here. If you want to comment on any of those couple of things that I brought up, I'd be glad to hear. If not, I know we can always visit at another time.

Senator SALAZAR. Senator Lincoln, if I may, just two points.

First, I will miss your enthusiasm and your cheerfulness, but I also am looking forward to continuing to work with you on so many issues, including the issues that you raise.

Second, I also want to just commend you as being one of the Senators that really understands the importance of rural America and the forgotten America, as some of you have heard me give my speeches on the Floor of the U.S. Senate, as we worked on the Farm Bill just this last year.

There really are two Americas that we have—that have a different reality and it all depends on how far you are away from those big urban centers. I think we have 3,000 counties in the United States of America and there's about 1,700 of them that are classified as rural. Many of those have lost population and even in the good times of the 1990s, while the big cities were thriving and people were making a lot of money, the people in rural America were being forgotten and the income gaps of \$10,000+ between rural versus urban Americans was real, the health care disparities were real, the educational disparities were real.

They were all real and so I do believe that, notwithstanding the fact that rural America, as I said, I think, in my opening speech in the U.S. Senate some 4 years ago, had been a withering America just because population had been making its exodus from those rural counties into the bigger cities, that the new technologies and rural broadband as well as the economic opportunities that are brought about by renewable energy are going to create a renaissance for rural America and we have seen that across the country.

In my State, with the renewable portfolio standard in place, the Eastern Plains which basically were a forgotten part of the State of Colorado have come back to life, and we will see more and more of that as we embrace the renewable energy opportunities, and I look forward specifically as part of President-elect Obama's energy team in helping craft the kinds of economic opportunities as we pursue the Renewable Energy Agenda to make sure that some of that economic opportunity creates opportunity for those rural communities, so that it's not just a matter of siting facilities out in those rural communities and then having the energy being used in the bigger cities but having the money essentially flow to Wall Street or some other place.

So we have to make sure that we provide benefits to those rural communities and I look forward to working with you on that agenda.

Senator LINCOLN. Great. Thank you. Senator Shaheen.

Senator SHAHEEN. Thank you, Senator Lincoln. I thought perhaps when you took over the Chair that the women Senators were

initiating a coup, but then Senator Udall came back. I realized that was not the case.

[Laughter.]

Senator SHAHEEN. Congratulations, Senator Salazar. After listening to all of the wonderful tributes to you this morning, I'm especially saddened that I won't have the opportunity to serve with you in the Senate but look forward to working with you as the Secretary of the Interior.

I appreciated the comments that you have made throughout your testimony and the questioning this morning about the importance of moving to energy independence, about the importance of the new energy economy, and as you indicated in your testimony earlier, one significant challenge we have as we move to that new energy economy is dealing with our transmission issues.

We heard similar concerns expressed by Dr. Chu, the nominee to be Secretary of the Department of Energy, and I just wondered if you could speak to thoughts you have about siting new transmission lines, about who should have—if there should be one authority who you think should have oversight over siting of those transmission lines.

It was suggested by a panel last week that perhaps that responsibility should be located within the Federal Energy Regulatory Commission, and how you might work with the Department of Energy on the challenges of building a new transmission system for this energy economy.

Senator SALAZAR. Thank you, Senator Shaheen, and thank you for your great service to the State of New Hampshire as Governor and now to the country as a United States Senator.

The good fortune about my job is that our relationships are not ended because I get to continue to work with you on issues that are important to our country.

I believe that the issue of transmission is an essential issue that needs to be addressed because otherwise what's going to end up happening is that we're going to have a lot of talk and no action on renewable energy, and we cannot let bureaucratic impediments or the balkanization of the Federal Government essentially stand in the way of results.

This is a time for results, results matter, and in that context, I have tremendous confidence in Secretary-designee Steven Chu and that we will be able to work together to create a pathway that is an effective pathway that gets us to the results that we want to deliver this new energy economy because if we don't do it, the Nation fails, we fail, and failure here is not an option.

Senator SHAHEEN. Do you want to address whether there should be any particular location for siting new transmission lines or for—should there be one Federal agency that has any additional responsibility for transmission?

Senator SALAZAR. We need to make sure that we are moving forward with creating the greater transmission capacity that will be needed and that will be something which Dr. Chu and myself as well as others will figure out together.

There is a critical role that the Department of Interior will play because of the fact that we manage 20 percent of the land mass of the United States of America, and I know, for example, if we just

take solar or geothermal, there are great opportunities there with respect to public lands and how public lands are used for these renewable energy facilities.

There's first the issue of siting and where they will go. We may have to revise processes to make sure that we don't end up in 10 years of process without getting to results. This is an imperative agenda because our environmental and economic and national security depend on our success on this agenda.

With respect to how we will work out the exact jurisdictions between FERC and Interior and other agencies that may have a role in it, that's something that we'll have to do. Maybe my role with the President-elect is to be a special advisor to him on energy. My role is to run the Department of Interior, but as special advisor to him, I will make sure that this is something that we will succeed on.

Senator LINCOLN. Senator Udall, did you have any further questions?

Senator UDALL. I don't have any more questions.

Senator LINCOLN. Senator Murkowski.

Senator MURKOWSKI. I have a couple of follow-up questions. I mentioned in my opening remarks your broad portfolio, but through listening to the members of the committee and realizing everyone brings their own interests, but the questions have varied from energy to more specific issues with OCS and oil shale, MMS, Indian Affairs, ESA, mining.

We haven't discussed management of the territories, migratory birds, and the management of the Forest Service and the aspect of fires. I want to just touch on that briefly because it is something that I have had several conversations with Secretaries of the Interior at parts of the summer when my State was up in smoke and I'm sure that other members in the West have had real concerns and have had to weigh in.

Some of the frustration that we see is the increased costs of Federal fire-fighting, the impact that these costs have on other Federal resource programs, and we've had many discussions in this committee, and I'm sure that you have been part of them, when we learn that essentially we're raiding other accounts to pay for the emergency situation that we have there.

I would hope that as you're looking at the Administration's budget, you can figure out the path forward here. I'm not quite sure what the magic of it is, but recognizing that we do need to address this area, coming out of Colorado, I know it's been an issue, but it is something that we would like to see some resolve to.

In the State of Alaska, we have experienced years of devastation of areas of our forested lands due to the invasion of the Spruce Bark Beetle, and I understand that in Colorado you call it the Mountain Bark Beetle. I don't know if they're kin to one another or what the relationship is, but we know that they're destroying much of our forests.

I don't know what specifically the Department of Interior is doing now to respond more quickly and efficiently to challenge the outbreaks caused but that is something that we would like to be working with you on, again recognizing that when these insects come through and kill these trees, then lay on the forest floor and they're

nothing but tinder for the next lightning strike that comes along that can cause an incredible forest fire and then we deal with the costs, as I just mentioned.

I'm not giving you a chance to answer because I want to get through my last few questions.

Lastly, Alaska was blessed a couple weeks ago to celebrate the 50th anniversary of our Statehood, on January 3. It was a big deal to be able to say we have been part of the Union for 50 years, but when we joined the Union there were certain promises from the Federal Government as regarding our lands. They said you get lands conveyed to you as a State. Our Alaska Natives have also had that promise, the commitment that lands would be conveyed to them.

When I came to the Senate, I asked for a status from the Bureau of Land Management, from Interior, where are we on our conveyance of lands, and at that time it was abysmal situation. They said they were working on it, but it was never a priority.

We were able to pass into law the Land Conveyance Act to expedite those conveyances and the promise made within that legislation 4 years ago was that the conveyances would be complete by the time we celebrated the 50th anniversary of Statehood. That was a couple weeks ago. It's still about 35 million acres of land that must be transferred.

I'm asking for your commitment, Senator Salazar, as you move into this position in Interior, to work with us to complete these transfers that were promised to Alaska at the time of Statehood. Much of it is a budgetary issue, staffing issue, making sure that those surveys are complete, but it is something that I would hope we would be able to work with you aggressively on to complete this commitment.

Senator SALAZAR. Senator Murkowski, on both issues you raise, I know the importance on the fire issue and the budgets of both the Forest Service and USDA as well as the BLM. I understand the criticality of dealing with the epidemic that we see with the Bark Beetle or the Swiss Beetle in multiple states and I'm, frankly—when I first started talking about the Bark Beetle, people thought it was a beetle that barked 4 years ago.

I think there's a greater understanding that Congressman Udall brought in the House and we brought over here and we know it's an issue that is a multi-State issue and to Wyoming and Idaho and to Alaska, of course, and so we need to work on it and we'll work on it and we'll take a look at where we are on the implementation of the Conveyance Lands Act and we'll get back to you on that.

Finally, I guess I would say, use this opportunity to say that even as we look at the issue of budgets with respect to firefighting, there are some realities that are going to hit this committee, the Members of the Congress, the President-elect and all of us, and that is, that we are in some very tough economic times and we can have great dreams and great aspirations, as I do as I look forward to the challenge that we have, but there is going to be some reality that we're going to have to deal with relative to how we fund much of these programs that we are facing and it will not be easy, but I think the times we're in require the kind of resolve and deter-

mination and the can-do attitude that we can figure out ways of addressing these high-priority issues for our Nation.

Senator MURKOWSKI. I appreciate your comment. I think we all recognize that it is difficult and we're dealing with difficult issues already, but I think when you have good leadership and a sense of pragmatism, we can make good things happen. I look forward to doing that.

I would be remiss as the ranking member of Indian Affairs if I did not reiterate my chairman, Senator Dorgan's comment about the responsibility to our first people, to American Indians, Alaska Natives, Native Hawaiians, his plea to you to fix the BIA, and I think I have a commitment from you to do that, so thank you, we will be working with you on that, but as you know, the trust responsibility that we have to our American Indians, to Alaska Natives, I think we have failed in many aspects of that and would hope that that would be one of the areas that you would be rigorous and really try to make positive steps.

With that, Madam Chair, I do have more questions that I would like to have submitted for the record. I know Senator Barrasso had some. I'm sure that other members of the committee will have them, as well. I understand that we've got some time before our business meeting for you to complete these, so you don't have to stay up all night responding to them, but again I thank you for your willingness to serve our President-elect in this new Administration and thank you for what you have done for the people of Colorado and for this country.

Thanks.

Senator SALAZAR. Thank you.

Senator MURKOWSKI. I am told that Senator Barrasso is on his way. We should give him a second.

Senator LINCOLN. We will give him a second. I would just say that I think I have the second cousin once removed of your beetle, the Red Oak Bore, over in Arkansas. So I'm pleased that you brought that up. Those are important issues for us, as well, even though we don't have as large a forest or territory as lots of times the Western states do.

I will say, Senator Salazar, that I have two young men in Arkansas who are ready to take you on a canoe trip down the Buffalo National River, the Buffalo National Park River, and are excited about—I know you've had many invitations to come visit a lot of different places with the beautiful national parks that exist across this land, but without a doubt, there's two young men with the last name Lincoln that are ready to take you on a canoe trip down the Buffalo River. They talked about it last night, as a matter of fact.

If there's not any objection, without any objections, members will have until 5 o'clock this evening to submit additional questions for the record.

Senator SALAZAR. Ms. Madam Chairman, I do this in court all the time, may I approach the Bench just for 1 second?

Senator LINCOLN. Absolutely.

[Off the record.]

Senator LINCOLN. Senator Barrasso, did you have some further questions?

Senator BARRASSO. Thank you very much, Madam Chairman. I do.

Senator LINCOLN. I just want to make sure that you do have until 5 o'clock this evening to submit any additional questions that you might have.

Senator BARRASSO. Thank you very much. Thank you again, Senator Salazar.

A couple of issues very important to us in Wyoming and the Rocky Mountain West and if I could ask about snowmobiles in Yellowstone and Grand Teton Parks. In 1872, when we had the first national, Yellowstone Park, they said it was for the enjoyment of—for the use and enjoyment of the people when the legislation was initially passed.

Could you talk a little bit about the support for snowmobile access to the parks? There's been a lot of back and forth in terms of how many snowmobiles, if snowmobiles could be used in the park, and how will you direct the National Park Service to handle this issue of snowmobiles in the national parks?

Senator SALAZAR. Senator Barrasso, I appreciate the question, and I remember the heartfelt positions of Senator Craig before you and you and others. This is a complex and difficult issue and today in this hearing what I can assure you is that it's an issue that we will take a look at.

I don't have an answer for you. I haven't looked at the current status of it, but we will look at it and we will get back to you.

Senator BARRASSO. I would agree with Senator Udall in his earlier comments and associate myself with those about the Colorado River Compact. I remember your strong statements about the need for Wyoming and Colorado and Upper River Areas, and I know you were very vocal in the past when anyone has tried to move some of that water south and west. So I appreciate the comments there.

Senator SALAZAR. Don't they say in the West you can steal my wife but don't steal my water? I don't say that.

Senator BARRASSO. No, no. You would never.

[Laughter.]

Senator SALAZAR. You can steal neither my wife nor my water.

Senator BARRASSO. If I could then ask a little bit about public land and ranching and we talked yesterday at the Prayer Breakfast about your love of the land, respect of the land, how very important it is to you and your heritage and your family.

Public land ranching is a very important part of Wyoming's economy and part of our local communities. Half of the land in the State of Wyoming is public land and a lot of that's used for grazing, for grazing allotments where ranches have a combination of public land and their own private land for a large number of these ranches.

The concern that I have when it comes to any time a rancher wants to sell his private land the developers are ready to take that immediately. You and I both know the value of the incredible landscapes and the desire to try to conserve this area.

So could you talk a little bit about conservation of entire landscapes and how you would then direct your agencies to handle resource conflicts that involve people who have permits to graze on the public land?

Senator SALAZAR. Senator Barrasso, let me say first, I think we need to find balance. You know, I was involved some in the grazing regulation disputes back in the 1990s and the last thing we want to do is to drive ranchers, some of whom have been using these lands for five-six generations, essentially off the lands and into bankruptcy.

At the same time we need to make sure that we're protecting the ecosystems that are so essential that are important to Wyoming and Colorado and everywhere else where we have these kinds of grazing opportunities.

So we will seek to have the right kind of balance that supports our ranching communities and our ranchers and at the same time protects the environment.

Senator BARRASSO. I wanted to move on to Federal mineral royalties. As you know, the Bush Administration, as well as the Democrat Congress, the Federal Government took 2 percent of the states' Federal mineral royalties. It impacted Colorado. It impacted Wyoming, and you and I co-sponsored Senate 2602 in the last session of Congress to try to reverse this policy that you and I both agreed was an unsound policy.

I was curious if the Obama Administration supported our legislation.

Senator SALAZAR. Senator Barrasso, I do not know that they've gotten that specific and I think there are lots of pieces of legislation that they obviously have not looked at. You know my own history with respect to that particular issue and you know I think the 50/50 split that was there before is one that makes sense.

You know, this is an issue which probably will arise again, but as I will remind you and members of the committee, it was part of what came out of the Bush budget that moved it to a 51/49 split and hopefully as we try to address the budgetary crisis that we're in, we'll be able to correct what I think was a wrong move.

We haven't gotten to the point where any of us have been sworn in, have not gotten to the point where we're dealing with budgets and trying to make the budget balance, but it is an issue that is on my radar screen.

Senator BARRASSO. The final has to do with another bill that you and I co-sponsored, had to do with the Good Neighbor Authority in terms of the Forest Service, the bill that we had co-sponsored that would allow the Forest Service and the BLM to cooperate with the State foresters to put more boots on the ground in terms of cleaning up the forests and the issues that you and I have discussed prior to this hearing.

I guess my question is how can we continue to promote this tool, which I think is very important for our states and for our forests?

Senator SALAZAR. I think it's a great concept and I think it's something that at the end of the day is about collaboration and cooperating with your neighbors and I think those are the kinds of things on collaboration that we will be pursuing as we deal with issues like fires as well as a whole host of other things.

We look at the Bark Beetle problem. You know, the Bark Beetle problem doesn't stop at the Federal jurisdictional line. It goes over into private property and so how we put together the kinds of good

neighbor policies that you and I had talked about in the past is something which we will try to do within Interior.

Senator BARRASSO. Because BLM still hasn't taken a position on it and they say it's tied up in the Solicitor's Office and I'm just hoping that you continue to keep an eye on that to make sure we can move that along in a swift way.

Senator SALAZAR. Let me say it will very much be on my radar screen when I get to the Department of Interior.

Senator BARRASSO. Thank you very much. Thank you, Madam Chairman.

Senator LINCOLN. Any other questions?

[No response.]

Senator LINCOLN. The hearing is adjourned.

[Whereupon, at 12:03 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR AKAKA

Knowing of your past experience in working with Colorado Indian tribes you have a good background and understanding of the Federal government's trust responsibility with our nation's indigenous peoples, American Indians, Alaska Natives, and Native Hawaiians. I am confident you will draw upon your first hand experience as you work to address the needs of indigenous people across the country, including the need to enhance opportunities and strengthen tribal self-government. I know, I and other members of the Senate Indian Affairs Committee, look forward to working with you on your efforts to address how the Department of Interior in collaboration with the Department of Justice and others can work more effectively and appropriately to protect tribes and to live up to the Federal trust responsibility and treaty pledges.

Question 1. Will you support self-governance and self-determination for Native Hawaiians within the framework of Federal laws, as has been done for American Indians and Alaska Natives?

Answer. Both President Obama and I are on record as supporting the legislation introduced by you in previous Congresses to provide Native Hawaiians with an opportunity to establish a Native Hawaiian governing entity.

Question 2. Even as the new Administration prepares to take office, some members of the outgoing Administration are seeking to achieve lasting policy by changing enforcement rules for the Endangered Species Act, issuing new regulations and developing new Memorandums of Understanding (MOUs) under Title 25 Indian affairs, and converting political positions in the Solicitor's Office into career positions.

If confirmed as Secretary, what steps will you take to counter-act these actions by the previous Administration?

Answer. I plan to review all of the actions you cite that were taken by the previous Administration.

Question 3. Originally, Native Hawaiians were dealt with as a foreign nation through Treaty and the Commerce Clauses. Later, the Kingdom of Hawaii was overthrown in violation of international law and subsequently annexed to the United States.

When Hawaii was a U.S. territory, Congress exercised its Indian Affairs powers, war powers, and powers over public lands to provide for the Hawaiian Home Lands to be held in trust for native Hawaiians, with the enactment of the Hawaiian Homes Commission Act. As a condition of Statehood in 1959, the State of Hawaii took title to Federal public lands and established a state entity, the Department of Hawaiian Home Lands (DHHL) to assume the administration responsibilities of the trust. In doing so Congress, exercised its right to transfer title of Federal public lands to the state of Hawaii.

Do you agree that the original powers of the Constitution, including the Indian affairs power extends to the later acquired territories of the United States, including Colorado and Hawaii? If yes, do you believe that these constitutional powers should provide protection and promote self-governance for Native Hawaiians, as has been done for other indigenous/native peoples of the United States?

Under Congressional authority to delegate power to states, do you believe that Congress had a right to transfer title of Federal public lands to Hawaii subject to a reservation in favor of native Hawaiians? If yes, will you work with the Department of Justice to uphold that trust?

Answer. As I stated in my response to an earlier question, both the President and I support your efforts to establish recognition for Native Hawaiians. With regard to your particular legal questions, I would have to defer to the Department of the Justice.

Question 4. I believe one of the requirements for the position of Secretary of Interior, is a well-developed understanding of the complex relationship between the Federal and tribal governments particularly as they are outlined by the Commerce Clause and the 14th Amendment. As I am sure you know, the Constitution, specifically the Indian Commerce Clause as well as the Treaty Clause, has long served as a foundation for how the Federal Government, including the legislative branch, would deal with Indian tribes and tribal citizens. However, some have argued that the equal protection clause of the 14th Amendment is an abridgement of the relationship established under the Commerce Clause while others have argued it is an expansion.

Do you believe that 14th amendment limits or in any way undermines the Indian Commerce Clause? Furthermore, do you believe the 14th amendment in any ways bars the Congressional exercise of Indian affairs power? Given that tribal citizens were primarily subject to tribal government jurisdiction, do you interpret the 14th amendment to apply to individual Indian tribe members under the Citizenship clause or do tribal citizens represent a distinct group separate from other American born citizens?

Answer. I believe it would be imprudent to provide a legal analysis on the complexity of the interaction of the 14th amendment and the Indian Commerce Clause in the context of these answers, which I am trying to provide expeditiously to the Committee. I would, however, be happy to give this issue further consideration.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR DORGAN

Question 5. The Red River Valley Water Supply Project would bring water from the Missouri River to residents in eastern North Dakota, was authorized in the Dakota Water Resources Act and has been extensively studied. Recently, the final EIS was completed and additional data was provided to the Office of Management and Budget by the Bureau of Reclamation. At that point, we had assurance from the Bureau that the Secretary of the Interior would sign the Record of Decision. But the Secretary of Interior has since reversed course and has refused to sign the Record of Decision. As the Secretary of Interior, will you investigate this issue and issue the Record of Decision quickly? If you discover problems with the project, do I have your commitment that you will maintain an open and frank dialogue about the issues so that we can resolve them and move forward on this project?

Answer. I commit to investigate this issue and discuss it with officials at the Office of Management and Budget.

Question 6. The goal of Northwest Area Water Supply Project is to bring safe drinking water from Lake Sakakawea north to Minot and distribute it to rural water users who currently lack access to potable water in the northwestern part of the state. This project was the subject of a lawsuit from Canada. We have completed the additional study of the treatment options, as mandated by the court, and are ready to move forward with the project. The Record of Decision may be signed in the coming days by this administration. If the Record of Decision is not signed in the next couple of days, do I have your commitment that you will expeditiously review and sign the Record of Decision so this project can move forward?

Answer. I understand that this Record of Decision was signed on January 15, 2009.

Question 7. I appreciated the fact that during our meeting of last week, you said that it seemed like common sense to try to use hunters to thin the elk overpopulation at the Theodore Roosevelt National Park. Since our meeting, I've learned that the 1950 Federal law establishing the Grand Teton National Park specifically requires that any managed reduction of the elk population in the park be done by hunters. And as far as I've been able to tell from officials at the Grand Teton National Park, the use of hunters to deal with the elk overpopulation in the Grand Teton National Park has worked very well. Are you aware of any problems with the use of volunteer hunters at the Grand Teton National Park that would suggest that this is not a good model for dealing with the situation in the Theodore Roosevelt National Park?

Doesn't it seem like common sense that if volunteer hunters are being used to thin the elk overpopulation in a national park, they should be able to keep the elk meat, or give it to a food bank if they so choose? Isn't that the approach that has been followed at the Grand Teton National Park (as required by law)?

Mary Bomar, the head of the National Park Service during this outgoing Bush Administration, wrote me on July 24, 2007, and agreed with me that the National Park Service has the discretion to use volunteer hunters to thin the elk herd at the park. I would hope that the Department of the Interior could reach a common sense decision on this issue quickly, before another couple of years go by. Would you give me your assurance that the Department will move promptly to settle on a common sense solution to this problem?

Answer. I understand the National Park Service is looking at this issue right now through the National Environmental Policy Act (NEPA) process. The options under consideration include using qualified volunteers to call the herd. I will be pleased to review with the Park Service these alternatives and to keep your office informed of our progress.

Question 8. The Bush Administration was very aggressive in pushing for oil and gas production on Federal lands, especially by processing permits. At the same time, there has been lax enforcement of production once it was occurring. Will you work to increase oversight efforts to ensure permit conditions are met?

Answer. Yes, I do want to improve permit and enforcement programs. I will work to ensure that permit conditions are met by oil and gas leases and operation. Development of oil and gas on Federal land is important but it must be done in a balanced manner that is environmentally sound. Oversight is also important to ensure that production is reported accurately so that Americans receive a fair return from the development of the Federal lands.

Question 9. One of the challenges that renewable energy is facing is getting permission to develop these energy sources on Federal lands. Will you promote efforts to increase production of renewable energy sources on Federal lands (onshore and offshore)?

Answer. I am strongly committed to increasing our capabilities to plan, permit, and provide transmission corridors for renewable energy on public lands and offshore. This is crucial to our energy future and the Administration's energy program.

Question 10. The Interior Department is responsible for the construction, maintenance, and repair of Indian schools, jails, irrigation and dam projects, and other infrastructure. The unmet need for tribal infrastructure exceeds \$50 billion.

I with 14 other Senators urged the President-Elect to include funding for tribal infrastructure in his Economic Recovery and Reinvestment Plan. Will you support similar efforts to address the unmet need for tribal infrastructure construction?

Answer. The House and Senate are both working on economic recovery packages that include significant funding for tribal infrastructure needs. The President and I support investment in these key areas, and the Administration is working with Congress on this effort.

Question 11. The Department of the Interior's "Criteria for Negotiating Indian Water Rights Settlements" provides a variety of goals for the Department. Yet, the outgoing Administration appeared interested in only one goal—balancing the cost of the government's contribution to a settlement against the potential liability for the Federal government's failure to protect Indian water rights.

How will your Department manage the settlement of Indian water rights? Do you plan to revisit the Department's criteria to ensure that all values of settlement are included in the process?

Answer. Settlement of Indian water rights is personally important to me. As you know, I have spent much of my career focused on issues of water in the West. You have my assurance that I and my team will look at the Department's criteria and the overall process for settlement of Indian water rights.

Question 12. As Chairman of the Senate Committee on Indian Affairs, I held hearings in the 110th Congress that revealed a public safety crisis on many American Indian reservations. The problem stems from a lack of resources for tribal justice programs and a broken and divided system of justice. In 2008, I introduced S. 3320, the Tribal Law and Order Act, to fix this broken system.

As head of the Department, are you willing to work with me on this legislation to reform the broken system?

Answer. My team and I look forward to working with you on the issue of tribal justice programs and the justice system in Indian country.

Question 13. Indian Tribes are specifically referenced in the Commerce Clause to the U.S. Constitution along with state governments and foreign governments. The right of Indian Tribes to self-government is in the bedrock of our nation's Indian affairs policy.

What are your thoughts about the mission of the Bureau of Indian Affairs, the future of Indian Self-Determination, and improving the services provided to the residents of Indian Country to better meet the goal of tribal self-determination?

Answer. Like President Obama, I am a strong believer in the right of Indian Tribes to self-government. I believe the record shows that many Tribes now have the ability to provide their members with better service than when those services are provided solely by the Federal government. I am hopeful that this Department can continue to increase the number of Tribes that have self-determination agreements with the Bureau of Indian Affairs.

Question 14. Allotment Acts of the 1800's allotted tribally-held land on Indian reservations to individuals, mandated an unworkable system for devising Indian lands, and resulted in fractioned interests in land. Today, a single parcel of land may have hundreds of owners, making many parcels of Indian lands useless for purposes of private ownership or economic development.

The Department of the Interior has a modest program in place for purchasing these interests since the late 1990s. Congress has recognized and approved this program through amendments to the Indian Land Consolidation Act in 2000 and 2004. Appropriations to carry out the program over the past 8 years have been inconsistent. How would you enhance and improve the Indian Land Consolidation program?

Answer. I look forward to evaluating the performance of the Indian Land Consolidation program in achieving its primary purpose—the consolidation of fractionated interests in Indian land. A priority of my tenure will be economic development for Indian people. I also look forward to working with you and the Congress to address the fractionation issue, which can inhibit needed economic development.

Question 15. As you are aware, the Cobell litigation has been pending since 1996. Secretaries Babbitt, Norton, and Kempthorne have all been named plaintiffs in the litigation. The litigation has proven to be a poor method of resolving this issue.

The Administration and Congress need to develop an appropriate remedy for the trust litigation and I hope you will lead the effort. What are your views on the settlement of historical trust claims against the Department?

Answer. While I have not yet been fully briefed on the Cobell litigation, I do know it is one of the most complex lawsuits that the Department of the Interior has ever faced. I also know that past attempts by both Congress and the Clinton and Bush Administrations to craft a settlement have failed. I share your view that this litigation has been a painful way to resolve this issue. I assure you I will make it a high priority to resolve this decade plus-long litigation.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR WYDEN

Question 16. Senator Salazar, I appreciate the commitment you made in your confirmation hearing to get back to us with a timetable as to how and when you will correct the tainted decisions identified in the Inspector General's Report on endangered species decisions. Can you give us an indication of when we will be able to get that from the Interior Department?

Answer. I will first need to get my team in place before I can fully provide information as to how and when we examine the endangered species decisions identified in the Inspector General's report. But I will tell you that one of my highest priorities is making clear that I will not tolerate the kind of tampering with science uncovered by the Inspector General with regard to the endangered species program.

Question 17. While these decisions are being revised, they are being used as a basis for a host of projects and land management decisions that are moving forward. How will ensure those decisions and projects also receive review and that no improper harm comes to a species or its habitat while the tainted decisions are being reviewed?

Answer. As I mentioned above, review of these projects, as well as the decisions that allowed them to go forward, will occur when my fish and wildlife and legal teams are in place.

Question 18. Will you remove or reassign career staff who have been named by the Inspector General or Government Accountability Office as having improperly influenced species decisions?

Answer. These are personnel matters and decisions that will be made in accordance with appropriate guidelines and requirements relating to the career civil service. I can assure you, however, that I will take whatever steps are necessary, and within the scope of my authority, to redress improper decision-making regarding endangered species determinations.

Question 19. What will you do to 1) ensure that that the types of improper actions highlighted in the Inspector General's findings no longer take place at Interior and 2) reform and clean up the Agency so that this never happens again and that the Agency's scientific integrity is restored?

Answer. I have already made clear to my staff and in an all-employee meeting I held on January 22, 2009, that I will not tolerate the kind of improper actions highlighted in the Inspector General's findings. I have also stressed the importance of scientific integrity. In addition, the entire new political team was briefed by the Department's Ethics Office on January 22, 2009. Also, as you know, I discussed this set of issues in a recent White House briefing and in an all-hands meeting with Minerals Management Service employees in Lakewood, Colorado.

Question 20. I have a bill to expand the Oregon Caves National Monument boundary by 4,084 acres to include the entire Cave Creek Watershed, the management of which would be transferred from the United States Forest Service to the National Park Service. Last year at a hearing on this bill, the Park Service gave testimony that contradicted their long held position supporting expansion of the Monument boundary—a position held since the 1930's and articulated in the Monument's 1998 General Management Plan. I believe this was politically motivated. Can I get your commitment to look with fresh eyes at this legislation, which I will again be seeking to move this year?

Answer. You have my commitment that I and my team will review your legislation with fresh eyes.

Question 21. There are a number of Tribes in my home state that face a number of challenges and are also involved in a whole host of projects involving the Department of Interior. As you know, this Bureau too has faced a number of criticisms of mismanagement and lack of responsiveness to needs within the Tribal community. In President-elect Obama's announcement of your nomination, he acknowledged that among the many responsibilities you will bear as Interior Secretary is to help ensure that we live up to our treaty obligations and honor a nation-to-nation relationship with tribes. People often think the Bureau of Indian Affairs' has the only direct Federal relationship with tribal governments. However, many tribes in Oregon and across the West have treaty reserved rights that extend beyond their reservations and are likely to be impacted by the other programs within Interior, such as management of parks and refuges and Bureau of Land Management lands and where activities might involve grazing, logging, irrigation, and mining.

How will you go about ensuring that the Federal relationship extends across all agencies and services in Interior and not just the BIA?

Answer. I understand that treaty rights often involve tribal resources that may be impacted by many programs carried out by many agencies, both inside and outside of the Department of the Interior. This is one reason why consultation is so important before any action is taken that might affect a tribe's resources. I will work to ensure that our communications with tribes are enhanced during this Administration.

Question 22. How do you propose cleaning up the Bureau of Indian Affairs and creating trust once again between the Tribes and the Federal Government, especially following major legal challenges such as the *Cobell v. Kempthorne* lawsuit, that alleges mismanagement of the Government's trust obligation?

Answer. As I mentioned above, I believe trust is best created when the lines of communication are open and the sovereignty of tribes and their rights to self-determination and self-governance are fully recognized. I intend to give the trust management issues top priority in the Department.

Question 23. The Interior Department's compensable trust obligation to manage Indian lands is certainly equal to that owed by the U.S. for the management of Forest Service or BLM public lands. And even while funding for managing those lands has been very woefully inadequate, BIA funding for managing these natural resources is just a fraction of that spent by other Federal agencies. Shouldn't Indian trust resources receive the same level of support accorded similar public lands?

Answer. I will look at the funding levels for the management of Indian lands as we develop the 2010 budget request and go through the 2011 budget process.

Question 24. A number of our Tribes are actively involved in alternative energy development. Do you have a vision to provide opportunities for Tribes to create alternative energy? Recovery and restoration of Pacific Northwest salmon is a public priority backed by an enormous regional undertaking. The treaty tribes in Oregon and elsewhere in the region, with significant treaty fishing needs and co-management responsibilities themselves, annually request that the Administration produce a cross-cut budget identifying the various agency budget needs and obligations. How will the Department of Interior work to annually formulate this northwest salmon cross-cut budget?

Answer. I believe one of the greatest opportunities for economic development in Indian country is development of alternative energy sources. As part of our plan to increase alternative energy resources for America, I expect the next Assistant Secretary for Indian Affairs to focus on this challenge. In addition, I am fully aware

of the importance of Pacific Northwest salmon to the Tribes in that area. I will ask my team to look into your request to lay out more clearly funding for Northwest salmon programs.

Question 25. Several basins in Oregon are going through major efforts to improve habitat, stream flows and provide adequate water supplies—the Klamath, Deschutes, Umatilla among others. These projects cut across agency departments. I want to work with you to establish a process that we can use to work through these issues on a basin by basin basis with your Department. Can I get your thoughts on how we might do that?

Answer. I am aware that significant focus has already been given to the issues facing the Klamath basin. I would be happy to work with you on developing a process for examining the needs of the major basins in Oregon.

Question 26. The Deschutes Basin recently reintroduced endangered salmon and the communities, the Tribes, irrigators and Portland General Electric are all making great strides, with the Bureau of Reclamation and Fish and Wildlife support, to develop a Habitat Conservation Plan. I hope that you will support your Department's continued involvement in these efforts.

Answer. I have every intention of continuing the support for the ongoing efforts of the Department in the Deschutes Basin.

Question 27. There are dozens of Indian tribes around the country with which the US is pursuing water settlements. I have one in my own State of Oregon involving the Umatilla Tribe and the Umatilla River. The continuing uncertainty regarding unquantified Tribal water rights encumbers Tribal economic development and, in many cases, especially among treaty tribes in the Pacific Northwest, prevents the exercise of treaty-reserved fishing rights. Unquantified Tribal water rights also cloud non-Indian water rights and development in affected basins—and can be the source of conflict between Tribes and their surrounding communities. While everyone understands these settlements need to be achieved, they can be costly and they require the involvement of the Department of the Interior—including the Bureau of Indian Affairs, Bureau of Reclamation, Fish & Wildlife Service and Solicitor's Office.

What are your plans as Secretary of the Interior to prioritize the settlement of Tribal water rights?

Answer. As I mentioned in response to a previous question, settlement of Indian water rights is personally important to me. As you know, I have spent much of my career focused on issues of water in the West. You have my assurance that I and my team will look at the Department's criteria and the overall process for settlement of Indian water rights.

Question 28. In the Umatilla Basin, the State, irrigators and the Confederated Tribe of the Umatilla Indian Reservation have worked hard and support the Department of Interior's two related and continuing studies: Indian Water Rights Assessment study (due mid-2009) and Reclamation's water supply study (also due mid-2009). Can you commit to ushering these studies forward and using them as the basis to construct a comprehensive project to meet water needs in the basin?

Answer. I can commit to examining this issue and working to ensure the completion of these studies in a timely manner. I would want to examine them and understand the financial implications before I commit to the construction of a comprehensive project.

Question 29. What are your views on funding for habitat conservation plans under section 10 of the Endangered Species Act? Currently, mitigation funding as well as funding to maintain habitats are woefully absent. Will you provide leadership to better balance funding for mitigation and maintenance to off-set the impacts of development in listed species critical habitats?

Answer. I am committed to finding ways to make the Endangered Species Act work for landowners affected by the requirements of the Act. I will ask my team to look at the levels of funding for mitigation and maintenances to off-set the impacts of development in designated critical habitat.

Question 30. S. 22, the Omnibus Public Land Management Act of 2009 includes a provision extending the Department's authority to enter into cost-shared programs to protect endangered salmon and other species in the Northwest. This program funds fish screens, diversions, and other measures that prevent these endangered fish from being inadvertently diverted into irrigation systems and has been extremely cost effective. The new bill would extend the Fisheries Restoration and Irrigation Mitigation Act (FRIMA) until the year 2015. If confirmed, would you commit to fund the FRIMA program?

Answer. At this point, I cannot make any funding commitments. Funding of Interior programs is decided through the Administration's budget process, in consultation with the Office of Management and Budget. I can, however, commit to look at the issue of funding for the FRIMA program.

Question 31. A Federal agency (non-Interior) began construction of a large-scale public works project on the Oregon side of the Columbia River without consulting with the tribes holding treaty fishing and access rights in the affected area. The resulting work stoppage could cost American taxpayers millions of dollars. Will the Department of Interior work with the White House to set the standards for adequacy and best practices in consultation with Indian Country?

Answer. I expect the Department of the Interior to be a leader in ensuring that all Federal agencies engage in government-to-government consultations with affected tribes in connection with projects that impact these rights and interests.

Question 32. Two blue ribbon independent assessments over the past 16 years have found BIA per acre Forestry funding to be only about 1/3 that of the U.S. Forest Service. (FY 1991 BIA per acre: \$4.14, USFS per acre: \$11.69. See An Assessment of Indian Forests and Forest Management in the United States, IFMAT 1 Report, November 1993, Table 11, page V-4. FY 2005 BIA per acre: \$2.83, USFS per acre: \$9.51. See IFMAT 2 Report, December 2003, Table 2, page 9.) Funding for ESA activities on Indian trust lands is only a quarter of that for BLM. (FY 2008 BIA ESA: \$1.228 million divided by 56 million trust acres = \$00.02.19 (or 2.2 cents) per acre. FY 2008 BLM ESA: \$22.3 million divided by BLM's 258 million acres = \$00.08.6 (or 8.6 cents per acre). What will you do to ensure more parity in funding for Tribal lands?

Answer. I will instruct my team to examine the issues related to forestry funding for tribal lands during the course of the budget process.

Question 33. The Umatilla Tribe's Umatilla River Basin settlement I mentioned happens to have significant workforce employment, small business and on-farm economic and regional economic stimulus attributes. Importantly, this economic stimulus opportunity is in rural northeast Oregon. Literally hundreds of farms can be rescued and new agriculture on the Umatilla Indian Reservation can be developed. Will you advocate for and is the Administration planning to include Indian water rights settlement projects as part of the critical economic stimulus package and actions nationwide?

Answer. As I mentioned above, the settlement of Indian water rights is extremely important to me. My team and I will certainly take a hard look at settlement criteria including how these settlements are funded.

Question 34. I have been told by some of my constituents that it has been difficult for citizen groups, Indian tribes, and environmental organizations to meaningfully raise environmental and other concerns with applications by Indian tribes and casino developers to build casinos. Will you ensure that the Department creates a transparent process to allow such stakeholders to receive information upon which they can provide your staff with appropriate input that will help your Department make informed decisions?

Answer. I will look into this concern.

Question 35. USGS currently has limited funds available for researchers beyond salary, and it is often difficult for USGS researchers to seek Federal funds (not able to compete for NSF grants, etc.). How might you improve this situation?

Answer. I am committed to ensuring that the Department's decisions are based on sound science and the public interest. In this context, I will look into the issue of whether all of our Department bureaus have adequate funding for necessary science research.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR JOHNSON

During the past administration, numerous lawsuits arose between tribal governments and the Department of the Interior (DOI) that may have been avoided through better consultation and inclusion of tribal leaders in the decision making process. These lawsuits have been costly to both the DOI and the tribal governments who felt they had no other alternative but risk the loss of services on which Indian people depend. Some recent examples include the consolidation of Bureau of Indian Education (BIE) line officers to regional offices away from the reservations and the detailing of tribal police officers to far away reservations with little or no communication to the affected tribal governments. Understandably, not all consultation can yield a result that will make all tribes happy in the end. However under the previous administration, tribes at times felt that litigation was their only effective means to force the DOI to listen to tribal concerns. At times this lack of consultation has created an "us against them" attitude in the Great Plains which harms all BIA programs but can also often be avoided through meaningful consultation with tribal leaders. Consultation does not mean that Interior must always follow every tribal request.

Question 36. What do you plan to do manage tribal consultation to avoid unnecessary legal challenges like those that have sprouted during the previous administration?

Answer. I am committed to having the Department engage in meaningful government-to-government consultations with affected tribes on matters of importance to them. I agree that consultation is far preferable to litigation in addressing and resolving issues.

Question 37. Tribal governments who have for years watched funding for programs and services decline while administration expenses and staff continue to grow are understandably disheartened. These suspicions are then fed by reports of waste, fraud, and abuse, such as the GAO Report on the Indian Health Service titled "Mismanagement Led to Millions of Dollars in Lost or Stolen Property and Wasteful Spending." Tribal leaders and program directors forced to make due on shoestring budgets become understandably irate and distrustful of administration staff thereby further hindering the Bureau's ability to accomplish its mission. Increased transparency on the use and allocation of appropriations, broken down by program and administrative expenses, would lead to greater understand by tribes and accountability by BIA staff.

Conversely, public corruption and the misuse of funds by tribal administrators has caused great suffering among tribal members who rely on program funding that may never benefit the people it was intended to serve. Aggressive prosecution of public corruption by tribal officials will be instrumental in preventing future abuses and setting an example for tribal youth. What sort of oversight would you propose to help eliminate fraud, waste and corruption before it negatively impacts the people served by tribal programs?

Answer. Eliminating fraud, waste and corruption in all Interior Department programs, including in the BIA, will be a priority for me. I know that I have the full support of President Obama in making this a priority.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR MENENDEZ

Question 38. The lands bill that we have all worked so hard to get to the floor this week includes a provision to allow Paterson Great Falls to become a national historical park. No other site in the nation more richly represents the remarkable transformation of a rural agrarian society based in slavery into a modern global economy based in freedom. Even though the bill will soon become law, the park will not become a reality without the support of the National Parks Service. Senator Salazar, will you work to forge a cooperative and constructive working relationship between the National Park Service, the State of New Jersey and the City of Paterson so the Paterson Great Falls National Historical Park?

Answer. If Congress enacts this legislation, we look forward to working with you, and with the City of Paterson to form a productive partnership for the present management of this Park. Senator Stabenow

Question 39. The Great Lakes are an inseparable part of Michigan's identity and history. One symbol of that identity are the over 120 lighthouses that define our shorelines—more lighthouses than any other state in the United States. The oldest Michigan lighthouses are over 180 years old, dating back to the 1820's.

Over the years I have been working to maintain and protect our lighthouses—the National Park Service (NPS) has jurisdiction over about 49 and Fish and Wildlife Service has 5. I passed legislation in 2006 that requires NPS to conduct a study to make recommendations to the State of Michigan and NGOs on steps forward to protect our lighthouses. I look forward to working with you so that we can finally begin the study and recommendation so that stakeholders can improve the management of our lighthouses.

Also, I cosponsored a bill with Senator Levin that would offer grants to states and NGOs to protect and improve the conditions of lighthouses. I look forward to working with you to find ways that National Park Service and Fish and Wildlife Service can work with stakeholders to improve lighthouse management.

Answer. I, too, believe that lighthouses are an important part of this Nation's heritage. I look forward to working on finding ways to protect this heritage.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR STABENOW

Question 40. I would like to bring to your attention a very important issue facing the Great Lakes. Double-crested cormorants reside in many locations throughout North American, but in the Great Lakes the populations are at inexplicable all-time highs. This explosion is causing a crash in some sport and recreation fish stocks including perch, brown trout, and smallmouth bass throughout the Great Lakes region. The Michigan Department of Natural Resources—Fisheries Division—has

found a correlation between the rising cormorant population and decreasing fisheries. Furthermore, I have heard from countless constituents and businesses in Michigan who have experienced firsthand the negative impact that cormorants pose to our fisheries and local economies. Commercial and recreational fishing are not only a way of life for many people in Michigan, but they also contribute about \$2 billion a year to our economy.

The United States Department of Agriculture's Wildlife Services conducts cormorant control activities throughout Michigan. Over the past seven years I have worked closely with USDA Wildlife Services and the Michigan Department of Natural Resources on this important issue. I have personally led the effort to secure Federal funding so that the USDA Wildlife Services can implement these control projects. The success of these projects has shown positive results in beginning to control and stabilize the bird's population in targeted areas. At the same time, the population of our fisheries has started to rise within those same areas.

However, the job is far from over. There are still many cormorant colonies located on islands within the Great Lakes that are owned and managed by the U.S. Fish and Wildlife Service. Over the years, USDA Wildlife Services has requested access to some of these islands to conduct control projects and have often been denied by the U.S. Fish and Wildlife Service.

I believe it is essential that these two Federal agencies partner and work together in order to achieve a stable population of cormorants throughout the Great Lakes and preserve our fisheries. Senator Salazar, I hope you will consider strengthening the level of cooperation and coordination between these two Federal agencies and I look forward to working with you to ensure that the fisheries of the Great Lakes are protected.

Answer. I understand the U.S. Fish and Wildlife Service has issued and defended in court regulations to allow the Department of Agriculture, states and local governments to take appropriate actions to control cormorant populations in certain instances. I recognize the need to conduct these control activities and look forward to working with you to protect the important fisheries of the Great Lakes.

Question 41. The Endangered Species Act is the leading law designed to protect the nation's biodiversity. For at least three Michigan species—the Canadian Lynx, piping plover, and the gray wolf, management and recovery decisions have been criticized for not being based on the best available science.

A recent investigation by Interior's Inspector General estimated that political interference has caused "the unnecessary expenditure of hundreds of thousands of dollars."

As the new Secretary, what steps will you take to work with stakeholder and landowners to improve science-based decision-making as well as on the ground recovery efforts such as habitat restoration?

Also, what can we be doing more of since many species such as the Kirtland Warbler live primarily on private lands and require intensive habitat management?

Answer. I have already made it clear to both my team and the career staff at Interior that I expect science-based decision-making to be conducted with scientific integrity, in an atmosphere of openness and under the highest ethical standards, and without interference.

Question 42. Fish and Wildlife Service (FWS) has authority under the Great Lakes Fish and Wildlife Restoration Act to perform on the ground conservation activities in the Great Lakes Basin. This program is especially useful to environmental and conservation advocates. From 1998 to 2006 the Act helped support 72 projects with \$3.9 million in Federal dollars and \$2.7 million in non-Federal matching dollars. These projects were completed with 62 different partner organizations. However, it could do much more. The annual authorization is \$16 million and in 2007 it only received \$1.77 million. The success of this program could be tremendous with a more support from the Administration.

Furthermore, FWS is an important partner to the Great Lakes Interagency Task Force. There is a FWS liaison in EPA's region 5 office to help serve the Great Lakes National Office. Since FWS is the leader in habitat restoration and wildlife management in the Federal government I look forward to working with you to increase the on the ground conservation and restoration work in the Great Lakes Basin.

Answer. I will consider your concerns as we craft the 2010 and 2011 budget for the Fish and Wildlife Service.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR MURKOWSKI

Question 43. Senator Salazar, here on the Energy Committee, we take pride in the good working relationship between the majority and minority, both Senators and our staff. If confirmed, will you pledge to cooperate in this type of a working

relationship with all Senators on this Committee, Democrat or Republican—by promptly responding to any written or phone inquiries, sharing information as soon as it becomes available—and directing your staff to do the same?

Answer. I plan to continue working with the Committee and its Members in a cooperative, bipartisan way and in a manner consistent with my responsibilities to the President.

Question 44. As we seek to increase conservation and develop new sources of renewable energy, we cannot lose sight of how important it is to produce more oil and natural gas here in America in the near-term. As Secretary of the Interior, you would be at the center of this debate and you would have significant influence over its outcome. Will you join us in encouraging greater production of our nation's resources, both on and offshore?

Answer. Conservation and renewable energy deserve much more emphasis than they have been given, and are the cornerstones of a climate friendly energy policy. There is also, however, no question that the Nation will need to continue to produce oil and gas as a bridge to this energy future. I look forward to working with the Committee to balance these important tasks.

Question 45. Last year, most congressional legislation to increase domestic production fell into one of two categories: bills that would have opened new lands to development, and bills that sought to increase production from existing leases. Do you believe that one of those plans has more merit, or would be more effective, than the other?

Answer. I have been troubled by the fact that the Bush Administration has moved to open lands in environmentally sensitive areas to development at a time when many existing leases are not being explored or brought into production. It may be that a balanced energy policy involves opening new lands where it is environmentally responsible to do so while also funding ways to encourage more production from existing leases.

Question 46. Every year, a significant number of Federal leases are delayed by litigation from environmental and other groups opposed to development. Would you take any action to restrain the impact these lawsuits are having on domestic production?

Answer. The government has for many years issued leases for millions of acres of land and approved many thousands of permits to drill these leases. It is my understanding that only a small number of these are challenged in court. Litigation challenging governmental decisions has long been a prominent feature of American government. It is not limited to environmental groups, as the oil and gas industry itself has brought major challenges to Interior decision-making. My view is that governmental officials should do the best they can to make fully informed decisions with integrity and a good faith attempt to comply with applicable legal requirements.

Question 47. To develop a typical lease, companies are often required to obtain or complete dozens of permits and plans. This can add months, if not years, to the length of time it takes to bring resources to market. Will you consider or support any initiatives to streamline the development process?

Answer. I will look at permitting processes to make sure they are efficient and user-friendly and that they accomplish beneficial public purposes. I am interested in streamlining and coordinating regulatory programs and ensuring that our oil and gas resources are explored, developed, and produced in a manner that is environmentally sound and technologically safe.

Question 48. This past July, the Minerals Management Service announced that it would begin developing its next 5-Year Program for OCS lease sales. Do you support that initiative? Will you instruct the agency to continue this effort if you are confirmed as Secretary?

Answer. There is currently a five-year program in place that runs through 2012. I understand that on Friday, January 16, the Bush Administration proposed a new five-year plan for review and comment for the period. I intend to look closely at that proposed plan and determine whether it is appropriate and consistent with the President's priorities.

Question 49. Do you support royalty relief as a financial incentive to boost offshore production? Would you seek to recoup any portion of the royalties lost due to the accidental omission of price thresholds in deepwater leases issued in 1998 and 1999? Would you appeal the Fifth Circuit Court's decision in the case of *Kerr-McGee v. Burton*?

Answer. The original idea of royalty relief was to encourage the development of technology to develop oil and gas in deep waters in the Gulf of Mexico. From what I can tell, that technology has been developed, which suggests that the question of royalty relief may deserve re-examination. I understand that some 1998 and 1999

lessees have agreed to price caps for those leases despite the bureaucratic error. I believe they all should do so. More broadly and more important, Anadarko, the successor to Kerr-McGee, prevailed in the 5th Circuit Court of Appeals, which upheld a court ruling that the government must grant royalty relief to all leases issued offshore between 1995 and 2000 no matter how high the price of oil climbs and no matter how large the oil companies' profits. I look forward to working with you and other members of Congress to examine the implications of that decision and will be working with the Department of Justice on the issue of appealing this decision.

Question 50. Your home State, Colorado, is one of several western states that possess tremendous reserves of oil shale. As a Senator, however, you sometimes sought to slow down Federal efforts to develop this resource. Do you agree that oil shale production will be critical to the long-term energy security of the United States? What do you believe is a realistic timeframe for development?

Answer. Energy security will come from a diversity of domestic energy sources. Right now it appears that oil shale is both expensive to produce and creates some resource pressures—water and climate impacts, for instance—that may make oil shale less desirable than some other renewable energy sources over time. As a result, I am not certain what is a realistic timeframe for development.

Question 51. You recently described the Bush Administration's final regulations for commercial oil shale leasing as "flawed" and "premature." As Secretary of the Interior, would you seek to overturn or re-write those regulations?

Answer. As I noted in response to a previous question, these regulations, and others, will be reviewed in detail once my team is in place. Once that review occurs I will determine the best path forward for these regulations.

Question 52. As you know, there are currently five oil shale RD&D leases on public lands in Colorado's Pineance Basin. Would you support additional RD&D leasing in Colorado and other western states? Under what circumstances would you support a competitive commercial leasing program?

Answer. We definitely need significantly more research and development related to the prospect of oil shale development. I am not prepared to say whether this would require additional R&D leasing. I believe we are years away from the conditions that would justify a commercial leasing program. Industry leaders themselves agree that conditions for "commercial" development are not on the immediate horizon.

Question 53. As a Senator, you have indicated that you favor additional requirements designed to increase production from existing leases. What specifically do you support? Would you attempt to shorten the primary term of leases? Raise annual rents? Increase royalties on production?

Answer. Certainly the ten year lease term for onshore oil and gas leases deserves close scrutiny. The fact that most leases issued are not explored or developed means that these resources are in fact tied up for a decade, and not available to other companies who might be willing to bring their resources into production. If confirmed, I intend to look at this matter closely, including looking at other potentially useful tools that might spur more production on these leases.

Question 54. Do you believe that "diligent development" regulations should be promulgated?

Answer. I can not say right now whether the need exists for regulations to govern this matter.

Question 55. In Section 388 of the 2005 Energy Policy Act, Congress directed the Department of the Interior to issue leases, easements or rights of way for alternative energy projects on the Outer Continental Shelf. To date, however, the Minerals Management Service (MMS) has not issued its Final Rule on offshore energy production and no leases or other permits have been granted pursuant to this authority. When do you expect the MMS to have its offshore energy program up and running?

Answer. I believe the offshore alternative energy program has great potential to help meet the Nation's energy needs. I intend to make sure this rule allows that program to move forward consistent with sound protection of the environment. The development of this program will be one of my highest priorities.

Question 56. The offshore wind development in Nantucket Sound, commonly referred to as the "Cape Wind" project, has been under development since 2001. After extensive review pursuant to the National Environmental Policy Act, all that remains is for MMS to issue a Final Environmental Impact Statement (FEIS). However, some in Congress have publicly urged MMS to delay the issuance of the FEIS in order to allow the Coast Guard to develop a national set of navigational safety standards for offshore renewable facilities—even though there is nothing in the statute or in the regulations that requires such an undertaking. Can you commit to a

time certain for a decision on the Cape Wind application? How quickly can additional offshore wind project applications be processed?

Answer. I understand that Secretary Kempthorne recently released the Final Environmental Impact Statement on the Cape Wind project. I intend to review the EIS and then make appropriate decisions on how to proceed.

Question 57. As you may know, there has been an ongoing dispute between MMS and the Federal Energy Regulatory Commission (FERC) regarding the development of hydrokinetic projects on the OCS. In 2007, MMS and FERC officials negotiated an interagency agreement to guide the development of these resources. Pursuant to that draft agreement, MMS would be responsible for leasing non-conventional hydropower projects on the OCS and conducting any necessary environmental studies. FERC would then be required to license the project at the back end of the process. That agreement was never finalized however and the jurisdictional issue remains unsolved. As the Secretary of the Interior, will you work with FERC on this issue to give the nascent hydrokinetic industry certainty or does Congress need to legislate this interagency dispute?

Answer. I am aware of the broad outlines of this dispute. I agree that it needs to be resolved expeditiously so this promising technology can move ahead.

Question 58. As members of this Committee's Public Lands and Forests Subcommittee, we share a frustration over the increased costs of Federal fire fighting and the impacts of these costs on other Federal resource programs.

As Interior Secretary, will you make it a priority to decrease Federal fire fighting costs?

Answer. I cannot commit that Federal fire-fighting costs will be decreased. I agree, however, that it is not appropriate that Federal firefighting costs be charged against unrelated program needs of our Federal agencies. We need to have adequate Federal resources to respond to wildfires that affect Federal lands.

Question 59. We often talk only in terms of fire suppression costs and not the long-term costs of destroying large swaths of forests in these fires. Will you commit to this Committee to express the total costs of these fires, including the long-term modification of soils and water quality, when discussing the issue in the future?

Answer. This is a very good question. The Department of the Interior, alongside its partners in land management at the U.S. Department of Agriculture and other agencies, is learning more about the costs of prevention and restoration, water and soil impacts. We will work closely with this Committee and the Congress as a whole to ascertain the costs and needs regarding the multiple impacts of catastrophic wildfire in the West.

Question 60. As of July 2008, BLM had received over 150 unsolicited applications to produce solar power on its lands. These applications cover over 1 million acres of Federal lands, representing 70,000 MW in total capacity. While BLM had issued a moratorium on new applications in order to process its existing back-log of applications, intense Congressional interest led BLM to lift the moratorium just days after its announcement. Does Congress need to provide BLM with some legislative direction for processing the agency's voluminous solar applications?

Answer. I believe development of alternative energy, including solar power, is a priority as we seek to reduce our dependence on unstable foreign sources of energy. I plan to work with the BLM to develop ways to process these applications to produce solar energy on public lands. If additional legislative authority is needed to accomplish this, I will not hesitate to notify the Congress.

Question 61a. On December 19, 2008, a University of Utah student reportedly bid \$1.8 million for 13 lease parcels near Arches and Canyonlands National Parks. During the auction in Salt Lake City, his actions may have driven up other bids by approximately \$500,000. However, according to press reports, this student "has no intention of paying the full \$1.8 million for his lease parcels." Do you agree with me that allowing such game playing during BLM lease auctions could drive legitimate bidders away from the process, thus depriving the Federal government and states of the royalties they could expect?

Answer. I don't approve of this kind of activity. If you bid for something, you should bid with the intention of paying the amount bid. However, there are numerous protests against this lease sale, which was rushed, and, as a result of this rushed process, the courts have applied a temporary restraining order against consummating the leases.

Question 61b. Will you commit to finding an administrative means to discourage this mischief?

Answer. I am will look into this issue and evaluate whether this type of activity needs to be addressed through an administrative process.

Question 62. Alaska's fire season generally occurs in early-to-mid summer and there have been times when the State has had problems getting Federal fire fight-

ing aviation assets transferred due to fires in other states. As you know, BLM has made a sizeable investment in fire fighting in Alaska. Will you commit to ensuring that Alaskan fire fighters receive equal consideration when requesting additional personnel and equipment when it is needed?

Answer. I intend to work with the Secretary of Agriculture to examine our current fire-fighting policy and procedures including looking at the resources devoted to fire-fighting in Alaska.

Question 63a. In 2006, there were more than 55 million recreational visitors to BLM-managed lands.

As Secretary, do you plan to provide diverse recreational opportunities on BLM units?

Question 63b. Would you support the additional funding necessary for increased recreational opportunities on BLM lands?

Question 63c. What is your position on the responsible use of off-highway vehicles on BLM lands?

Answer. I believe much of the land that BLM manages has outstanding recreational opportunities and I support providing diverse recreational opportunities on those lands. I expect to take a serious look at BLM's funding needs. I believe off-highway vehicles have a place on Federal lands. Hunters, ranchers, and others use them for access. Most recreational ORV users are responsible and take pains to stay on trails and rights-of-way designated for their use. I will look closely at ways for BLM to expeditiously complete travel plans for the lands it manages, to make clear where ORV use is and is not appropriate, so that responsible ORV use can continue while protecting other values and uses of the lands.

Question 64. As we seek to reduce greenhouse gas emissions, nuclear power has emerged as a reliable and affordable source of carbon-free power. While the United States currently imports 83 percent of the uranium needed to power our reactors, we have large reserves of this resource within our own borders. Uranium production, however, has become increasingly controversial, as evidenced by attempts in the 110th Congress to unilaterally withdraw over a million acres from mining. If confirmed, will you ensure consultation with members of this Committee before undertaking Administrative actions related to hardrock mining?

Answer. I agree that nuclear power has a place in our energy future. Nuclear power is not, however, constrained by lack of uranium, because supplies are plentiful and the two biggest sources of it, Australia and Canada, are friendly nations. Uranium is a locatable mineral governed by the Mining Law of 1872, which, as I said at my hearing, needs reform in part because it does not include modern environmental standards. I understand that the House Natural Resources Committee took action regarding potential uranium mining near the Grand Canyon due to concerns about possible contamination of the Colorado River from uranium mining. I intend to take a close look at this issue and I will consult with the Committee on it, as appropriate.

Question 65. Under what circumstances, and at what point in time, do you believe the Federal government should be able to say "no" to the development of a hardrock mining operation on public lands?

Answer. I believe that the Federal government should be able to say no to the development of a hardrock mining operation on public lands when that operation poses environmental threats that cannot be mitigated. As I said at my confirmation hearing, the Mining Law of 1872 needs reform in part because of the confusion that surrounds this issue. I look forward to working with the Congress in pushing reform across the finish line.

Question 66. Hardrock mines on Federal land currently pay no royalty on the minerals extracted. The 5th amendment to the Constitution prohibits the taking of property without just compensation, and policy considerations require a great deal of care be taken to account for assumptions made by those investing in the development of a mine. What do you believe is the most appropriate way to go about imposing a royalty, if the Congress should choose to do so? Who should it apply to, and when?

Answer. As I said at my confirmation hearing, a major shortcoming of the Mining Law of 1872 is that, almost alone among all users of Federal land, patents are issued under that law without the payment of a rental or royalty or other fee. I have great respect for the Fifth Amendment and its protection of property rights, but it is relevant that the Supreme Court of the United States has repeatedly held, in decisions going back many decades, that mining claims create property rights good against the United States only if the claimant can show a discovery of a valuable mineral deposit. I also agree, of course, that it is appropriate for Congress to take into account whatever property rights that holders of valid mining claims may have

when designing a royalty approach as part of Mining Law reform, and I look forward to working the Congress on this important matter.

Question 67. There is a great deal of support for the development of a robust, domestic manufacturing base for batteries and other energy storage devices. Do you believe it is important that the raw materials needed for those batteries come from within the United States as well?

Answer. Yes, if possible and economically feasible.

Question 68. Liability concerns are among the most significant impediments to cleaning up abandoned mine lands. Will you support liability relief under the relevant environmental statutes for those Good Samaritans who voluntarily clean up abandoned mine sites? More importantly, what kinds of regulatory and legislative incentives would you create, or recommend creating, through the land management programs you would oversee as Secretary of the Interior in order to ensure the timely clean-up of abandoned mines?

Answer. As you know, I have long been a proponent of Good Samaritan legislation, and I look forward to working with Congress to bring this across the finish line.

Question 69. The Mineral Leasing Act provides for the deferred payment of bonus bids for Federal coal leases in equal installments. It has been suggested that this be changed to require the payment of the entire bonus bid at the time of sale. From 1996-2006, the average bonus bid for oil and gas leases was approximately \$39,000, while the average bonus bid for a Federal coal lease was \$60 million. Given these significant differences in capital requirements, and accounting for the worldwide credit crunch that we are experiencing, do you believe it is advisable to eliminate the practice of bonus bid deferrals?

Answer. I look forward to being briefed on the subject and developing an approach that is fair and balanced. I understand the previous Administration supported changing the law with regard to the deferred payment of bonus bids for Federal coal leases. While the average bid for a Federal oil and gas lease may be low compared to coal, there are many thousands of oil and gas leases auctioned off, and only a handful of coal leases. Quite a few oil and gas leases attract bonus bids that equal or exceed the bonus bids of coal leases. I intend to look closely at this.

Question 70. A great deal of the Department of the Interior's actions require the completion of environmental analyses. Do you believe that the consequences of global climate change should be considered in carrying out the requirements of the National Environmental Policy Act?

Answer. The purpose of the NEPA process is to consider what the effects of proposed project may have on the environment. This can include what effect the project may have on global climate change. I recognize that these can be special challenges in evaluating the relationships between individual projects and climate change, and I will look for the Council on Environmental Quality, which administers NEPA, for its input on this issue.

Question 71. It is a consistent refrain that permitting delays pose a risk of undermining our energy security, wasting taxpayer dollars, and undercutting the efficiency of government. If it is warranted, I think most of us would like to avoid doing the same work twice. As a general rule, what do you believe is an appropriate shelf-life for analyses conducted pursuant to the National Environmental Policy Act?

Answer. I am always in favor of streamlining regulatory processes where the goals of the regulation can still be achieved I intend to try to achieve that objective wherever possible. I do not believe that there is a general rule with regards to the shelf life of an analysis conducted pursuant to NEPA. That depends on the nature of the analysis and the extent to which a situation has changed over time or environmental concerns or pressures have changed.

Question 72. As Secretary, will you attempt to update or reform the Endangered Species Act? Do you believe that it is acceptable to use the ESA to address climate change?

Answer. The Endangered Species Act has been successful in helping prevent hundreds of species from sliding into extinction, and it has promoted more sustainable management of vital natural resources across the country. It and other wildlife laws have been instrumental in preserving the whooping crane, manatees in Florida, sea otters in California, the bald eagle, the California condor, and the American alligator. Unfortunately, many reports have documented how ESA administration has suffered in recent years, undermining the confidence of the Congress and the public in the Department's scientific integrity. One of my top priorities is to ensure effective implementation of the ESA based on solid science and transparent processes, to restore scientific integrity to ESA decision-making and to clearly distinguish between policy choices and scientific judgments. The ESA has been most successful where the Federal government has worked with states, tribes, local governments

and private landowners. As Secretary, I will reach out to and engage these partners to assure the protection and recovery of listed species, to best address the intersection between the ESA and climate change, and to proactively identify and protect vital habitats before the plight of species becomes so dire as to warrant action under the ESA.

Question 73. The Department of the Interior recently published a final regulation related to Section 7 of the Endangered Species Act. The rule clarifies the consultation process that Federal agencies must follow for projects that could impact listed species or critical habitat. Do you agree with this new regulation, or will you review and possibly overturn it?

Answer. During the campaign, President-Elect Obama expressed serious concerns about these changes as limiting the effectiveness of the consultation process, which is a lynchpin of the statute. I intend to take a close look at this matter, in consultation with the Secretary of Commerce (the regulations are a joint enterprise of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service in Commerce), with members of Congress and with all affected stakeholders.

Question 74. As the National Park Service's centennial year approaches, what do you see as priorities for the agency?

Answer. Our national parks—as well as our refuges, forests, rivers, and seashores—are national treasures. As I look ahead to the park system's centennial in 2016, I want to ensure that we make the investments we need—historic investments—to make the system the best it has ever been.

Question 75. In your opinion, which National Park Service projects should be included in the economic stimulus package now under development?

Answer. The House and Senate are working on economic recovery packages that include significant funding for Department of the Interior programs. In this context, I cannot discuss funding for individual projects at this time, although I will note that there is a well-documented backlog of long-deferred projects in the National Parks which stimulus funding could and, I believe, should address.

Question 76. Last year, you and I were among the members of this Committee who voted in favor of legislation to allow firearms in National Parks, as authorized by state law. Along with more than half of the Senate, we also signed onto a letter to Secretary Kempthorne on this topic. As Secretary, would you support the rule he issued to allow carry of firearms?

Answer. I am a strong supporter of the Second Amendment. I plan to review all of the regulations that went into effect at the end of the previous Administration.

Question 77. Will Interior lead actions to address public concerns about improper, inefficient, and restrictive recreation fees on Federal lands and waters? Will you seek consensus on fee policies and their implementation well in advance of the scheduled sunset of present fee authority in 2014?

Answer. As you know, I was on record in the Senate as expressing concerns with the recreation fee program particularly with regard to certain fee requirements of the U.S. Forest Service and the Bureau of Land Management. As Secretary of the Interior, I plan to take a close look at the recreation fee program at Interior to ensure that it is implemented fairly and clearly.

Question 78. Will you provide leadership and institutional support for seeking, managing, and recognizing volunteers on the lands and waters administered by Interior, whether through Take Pride in America or other programs? Will you encourage growth in "voluntourism?"

Answer. As President Obama said in his Inaugural Address, "For everywhere we look, there is work to be done." Volunteerism is essential in Interior's management and conservation of the lands and water we administer. I am a strong supporter of volunteerism, and will look for opportunities to take advantage of our fellow citizens' willingness to give their time and energy to our natural and cultural resources.

Question 79. Do you agree that concessioners are vital to providing quality experiences for park visitors? How can this partnership be strengthened?

Answer. Yes, concessioners are vital to the experiences for many park visitors. As we move forward in this time of constrained budgets and economic uncertainty, partnerships are essential as we look to preserve and protect part resources.

Question 80. Would you consider expanding the use of "qualified public volunteers" to cull overpopulated species on lands administered by the National Park Service, as a mechanism to control both wildlife populations and agency costs?

Answer. Yes.

Question 81. Please describe the role you see for the Bureau of Reclamation during this century.

Answer. The Bureau of Reclamation has an important role to play, particularly in helping the Nation cope with the effects of climate change, better managing our

rivers to protect aquatic habitats, and facilitating the settlement of Indian water rights, while still serving its historic role of providing water for agriculture, municipal and industrial uses. It has the expertise and talent to be of great assistance in these matters, working with state and local water agencies and other stakeholders.

Question 82. As the Secretary of the Department of the Interior, what actions do you propose to address water shortages in the west, in particular water shortages caused by drought and climate variability?

Answer. President Obama is committed to working to address these challenges and understands the important role of states in developing solutions to these challenges. As a lifetime resident of the rural West, I am thoroughly familiar with these issues. If this winter is relatively dry, some parts of the West may be hit with water supply disruptions—California is already in the grips of a multi-year drought—and large numbers of wildfires. These can implicate many Interior Department responsibilities, including dam operations, water deliveries to Federal projects customers, endangered species protection, and wildfire policy and the budget for firefighting. I intend to spend considerable time addressing these issues.

Question 83. Please describe the methods you will incorporate to meet the Bureau's increasing operational, maintenance and rehabilitation obligations in light of decreasing budgets. Does one of the methods involve loan guarantees to Bureau customers? If so, how do you propose to implement the loan guarantee program?

Answer. I recognize the seriousness of this issue, and will look forward to working with the Bureau on creative approaches for developing financing alternatives for Bureau of Reclamation customers.

Question 84. How you would address the backlog of projects within the Title XVI water recycling program at Reclamation?

Answer. As I stated above, these many projects are subject to funding constraints. We will carefully review the list of projects and work with this committee to develop a fair and sensible way of addressing these proposed projects.

Question 85. Please describe the type of desalination research that should be undertaken by the USBR. Furthermore, please describe how you would coordinate the USBR research with that being undertaken by other Federal agencies.

Answer. Reclamation has operated the Yuma desalination plan on an experimental basis and I understand that it has developed other ideas for experimentation and research in this area. I will ensure coordination with other agencies as part of the Administration's overall efforts to deal with this and related issues.

Question 86. Please describe the Bureau's role in meeting rural water supply needs throughout the Western United States.

Answer. As noted earlier, Reclamation provides large quantities for irrigation and other uses. We will work to improve efficiency and work with states, Indian tribes and local interest groups to ensure that rural water needs are met.

Question 87. In your opinion, do we have an adequate understanding and knowledge of our water resources?

Answer. We have a lot of knowledge, but we can always learn more. I look forward to learning about the USGS and Reclamation water census that is underway. I support the use of good science in this and all areas.

Question 88. Please describe all of the un-adjudicated Indian water rights claims in the western United States that this Administration will be addressing over the next few years.

Answer. I previously stated that water settlements are important to me. Once my team is in place, we will review these matters for priority and appropriate action.

Question 89. Please describe how you will secure a commitment from OMB that a reasonable Federal contribution will be made available for Indian water rights settlements.

Answer. As I have mentioned, Indian water rights settlements will be a priority for me, and I will work with OMB, the U.S. Department of Justice, and the Congress to secure appropriate Federal contributions toward these important settlements.

Question 90. Our nation's hunters, anglers, and other sportsmen have had clear lines of communication with the Department under Secretaries Norton and Kempthorne. Will you adopt a similar approach, and ensure that these important groups have the ability to communicate with your administration?

Answer. I hope to establish clear lines of communication with all stakeholders affected by the programs of the Department of the Interior. I certainly recognize the importance of the Department's programs to the hunters, anglers, and other sportsmen of this country.

Question 91. Access to public lands is integral to the sustainability of hunting, fishing, and other recreational and subsistence activities. How will the needs, inter-

ests, and priorities of those who participate in these activities be addressed in the policies and land management plans developed by your Department?

Answer. I believe that hunters and anglers are a very important constituency of the Department of the Interior and I intend to consult frequently with their representatives. Many of the lands administered by Interior are open to fishing and many, especially BLM lands, are also open to hunting, and provide tremendous opportunities for this pursuit. I will work to strengthen our wildlife programs to enhance wildlife species to improve such opportunities. I am also strongly in favor of adopting programs that encourage young people, and particularly city kids, to engage with the outdoors, including becoming anglers and hunters, whose ranks are, in a worrisome trend, diminishing.

Question 92. State and local wildlife and habitat managers have told us that many Federal decisions, such as the designation of wilderness areas, have a negative impact on their ability to properly manage wildlife populations. If confirmed as Secretary, what steps would you take to help ensure that these non-Federal officials are able to fulfill their responsibilities?

Answer. In managing Federal lands, the Secretary of the Interior needs to play close attention to the concerns of state and local officials with responsibility for wildlife. I will do that. Federal and state wildlife officials need to work closely together in many situations.

ALASKA-SPECIFIC

As you know, I'm committed to the construction of a natural gas pipeline that will bring Alaska's gas to market.

Question 93a. Do you support additional Federal incentives for the Alaskan Natural Gas Pipeline?

Answer. I know that there have been many State and Federal incentives offered in the recent past. I need to study the current situation and assess the various ways of proceeding.

Question 93b. In the Energy Policy Act of 2005, Congress provided for 10-year lease extensions in the National Petroleum Reserve in Alaska (NPRA). However, because the Alaskan Natural Gas Pipeline has not yet been built, it has been impossible for companies to develop their leases within the 10-year time period. Do you support changes to the NPRA lease terms?

Answer. The President and I both support construction of a pipeline to bring North Slope natural gas to market as a bridge to a future more heavily reliant on renewable, carbon-friendly energy sources. While many decisions have to be made by the industry and the state before the permitting and construction process can move forward, I understand there is broad support for such a pipeline, to parallel and follow the route of the Trans-Alaska Pipeline and the Alcan Highway. Interior would have a role to place in issuing appropriate rights-of-way for such a project. I will examine whether additional extensions of leases in the NPRA are appropriate.

Question 94. An issue of tremendous importance to my home state, Alaska, is the 1002 Area of the Arctic National Wildlife Refuge. If confirmed, would you support the development of this area, its permanent designation as wilderness, or leaving its status as it is today?

Answer. Both the President and I are on record opposing drilling in the Arctic National Wildlife Refuge.

Question 95. This past November, the U.S. Geological Survey released its assessment of gas hydrates located beneath the North Slope of Alaska. The survey indicated that up to 85.4 trillion cubic feet of this clean-burning resource may be present, but that additional research would be necessary to demonstrate that it is economically viable and possible to produce. Do you support additional research related to gas hydrates?

Answer. It seems appropriate to conduct additional research on this matter.

Question 96. As the Interior Secretary, the environmental community will likely press you to designate even more Federal lands in Alaska, perhaps by creating de facto wilderness areas via the Antiquities Act. However, the aptly named "no-more" clause in the Alaska Lands Act bars the withdrawal of more than 5,000 acre tracts in Alaska for more than a year absent Congressional approval. What is your position on land withdrawals under the Antiquities Act?

Answer. I have not considered whether use of the Antiquities Act in Alaska is consistent with the "no more" clause. If the issue arises, I will examine the matter.

Question 97. The Alaskan delegation did not support Secretary Kempthorne's decision to list the polar bear as threatened under the Endangered Species Act—particularly since there is no current population data that demonstrates a decline in the Beaufort or Chukchi bear populations. In the ESA designation, however, the Ad-

ministration included so-called “4(d)” provisions to lessen the threat to subsistence hunting and oil and gas development. If confirmed, will you maintain the 4(d) provisions from the polar bear listing?

Answer. I have committed to examining all of the regulations promulgated at the end of the previous Administration.

Question 98. The U.S. Fish and Wildlife Service is considering listing dozens of Alaskan species under the Endangered Species Act, such as Beluga whales, walrus and seals. The North Slope Science Initiative (NSSI) was established in Alaska to produce sound science upon which to base these important policy decisions but funding for the NSSI has been very limited. Will you support additional funding for the NSSI?

Answer. I can not make budget commitments on behalf of the Administration but can tell you we will examine this program in the development of the 2010 and 2011 budgets.

Question 99. As we celebrate the 50th anniversary of Alaska’s statehood, we are still waiting for the Federal government to complete the land conveyance promised to the State in 1959. Four years ago, I sponsored the Alaska Statehood Lands Conveyance Act to complete the conveyances within one year. While enactment of that legislation did improve the pace somewhat, approximately 35 million acres of land must still be transferred. If confirmed, will you commit to completing these land transfers?

Answer. I understand that these conveyances are a high priority for BLM’s Alaska staff, the State, and the delegation. I will look into what is needed to complete these land transfers.

Question 100. Included in the Committee’s omnibus lands package that just passed the Senate is a land-exchange involving the Izembek Wildlife Refuge. This legislation provides for a one-lane gravel road, from Cold Bay to the King Cove airport, for medical emergency cases. What is your position on this legislation? As Interior Secretary, will you support the package if the House passes it and sends it to the President for his signature?

Answer. I cannot speak to the Administration’s formal position on that specific provision, or on other particular provisions in the omnibus lands package, but during my tenure as a member of this Committee I was a proponent of this important legislation.

Question 101. BLM has done a good job in recent years in funding the cleanup of abandoned oil wells in northern Alaska—wells developed by the government in National Petroleum Reserve as part of its government-led exploration efforts in the early 1980s. As Secretary, will you support this continued funding in the Interior Department’s budget?

Answer. I can not make budget commitments on behalf of the Administration but can tell you we will examine this program in the development of the 2010 and 2011 budgets.

Question 102. One-size-fits-all policies are rarely appropriate for the unique public lands issues faced in Alaska. In recognition of this fact, the Department has established the Alaska Office of the Secretary (IOS-AK) and incorporated a Senior Advisor for Alaska into the Immediate Office of the Secretary here in Washington. If confirmed, would you continue these practices to help ensure that Alaska’s needs, preferences, and priorities are considered?

Answer. I am not prepared to make commitments on particular positions or programs at this time, but I recognize the historic importance of having a personal representative for Alaska in the Secretary’s Office.

Question 103. Roughly 60 percent of the lands designated as wilderness in America are located in Alaska. In addition, lands in review status—known as wilderness study areas—are treated as de facto wilderness. As Secretary, what will be your policy with regard to further wilderness designations in Alaska?

Answer. Ever since the Wilderness Act was adopted in 1964, Congress has had the final say on whether areas of Federal land should be designated as wilderness. I believe the Congress is the appropriate place to make final, permanent decisions regarding such tracts. In general, I believe that lands that could qualify for wilderness designation by Congress ought to be managed to preserve the congressional prerogative to make that decision wherever possible. I look forward to working with Congress on this matter.

Question 104. As we face unprecedented budget deficits, it is clear that funding for many programs will be hard to come by. With regard to the Department of the Interior, how would your budgetary priorities differ from those of the current administration? Can you identify any areas where the government should increase investment, and any areas where you think it should be spending less money?

Answer. The President has stressed the importance of changing our nation's direction on energy and climate issues, and the Interior Department will play a central role in this new direction. It is too early to say how we will change programs and budgets to reflect this Administration's priorities.

Question 105. As Colorado's Attorney General, you worked diligently to reduce crime in local communities and you will likely call upon that experience as you face similar challenges in American Indian and Alaska Native communities. What is your plan for developing safe and secure Indian communities, particularly with regard to resources needed to address the terrible domestic and sexual violence facing Native women?

Answer. I support efforts like the Violence Against Women Act, which has been important fighting crime against women in Indian country and elsewhere. President Obama has stressed his support for tribal justice programs and law enforcement within Indian country. I plan to work with Congress and Indian country to develop and fund ways to address the issues.

Question 106. The United States has a trust responsibility for Indian trust assets and resources, but has not lived up to its responsibility, particularly in terms of asset management. The Cobell lawsuit has brought many administrative deficiencies to light, and while there have been improvements over the years, trust reform remains one of the biggest issues facing the Department. How will you ensure that the Department is properly managing and accounting for Indian trust assets and resources?

Answer. This is also an issue that is important to me. We will continue to support improvement of the trust management system and assess what additional steps need to be taken as we move forward.

Question 107. The national unemployment rate is now above 7.2%, but as you know, it is often significantly higher in Native communities. How will you boost economic development, particularly with regard to energy, in Native communities? Would you support the inclusion of any Native development provisions in the stimulus bill that Congress will soon consider?

Answer. I believe that energy development on Indian lands, including the development of alternative energy sources, must be pursued to boost economic development in Indian Country. Also, as I mentioned in a previous response, the House and Senate are both working on economic recovery packages that include significant funding for tribal infrastructure needs.

Question 108. The Assistant Secretary—Indian Affairs (AS-IA) is a very important position for both Indian country and the Department. Unfortunately, three individuals were confirmed by the Senate for this position in the last Administration, and two or three others informally carried out the duties of that office in the absence of a confirmed appointee. This "revolving door" negatively impacted BIA's ability to advocate for its priorities within the Department and the Administration, and it was, quite frankly, unacceptable. Will you require an upfront commitment from whoever is chosen to serve as AS-IA that he or she will remain in the post for the duration of the new Administration?

Answer. I will stress the importance of the need for a long-term continuance in this position, and will expect that the individual chosen to serve in it is committed to serving in it for the long-term.

Question 109. Will you urge the new Attorney General, and will you yourself commit, to agree to enter settlement negotiations to resolve the 19-year-old legal fight over unpaid Indian Self-Determination contract support costs in the Ramah class action now on appeal in the 10th Circuit? These costs are vital to sustain program levels for education, law enforcement, health, and many other essential governmental trust services to Indian people.

Answer. I will review these issues with the Solicitor's office and the Department of Justice.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR BURR

It is clear that nuclear energy will continue to play an increasing role in expanding affordable, reliable and clean baseload power for our country's growing electricity needs. While the U.S. currently imports 83 percent of the uranium needed to power our reactors, we have large reserves of this resource within our own borders.

Question 110. Do you believe that we need increased domestic uranium production to wean the U.S. off of reliance of foreign supplies?

Answer. Uranium mining creates impacts that need to be considered and addressed, and there is a long legacy of uranium mining impacts that must be cleaned up, particularly on the Navajo Nation. The development of the nation's first new

large-scale uranium enrichment facility in decades, in New Mexico, may create new uranium demand. I am committed to ensuring that any new uranium mining in the United States is carefully and sensitively pursued.

Question 111. If confirmed, will you ensure consultation with members of this Committee before undertaking Administrative actions related to hard rock mining?

Answer. The Bureau of Land Management undertakes many administrative actions related to hard rock mining under the 1872 Mining Law and the FLPMA. As I previously stated, I plan to continue working with the Committee and its Members in a cooperative, bipartisan way and in a manner consistent with my responsibilities to the President.

Question 112. North Carolina is home to many treasures, one of which is the Cape Hatteras National Seashore. The National Park Service has been remiss in their requirement to prepare an off-road vehicle management plan for the park, and now we are faced with a situation in which a court-sanctioned agreement is dictating the use of this area while the Park Service works on a rule-making process that may take three years to complete. I look at this situation as it pertains to the future use of all our national parks by the American people. The issue of access to our national treasures is at stake here. I plan on reintroducing a bill that would reinstate the interim management plan to allow off-road vehicle use.

Senator Salazar, if confirmed, will you commit to working with me to ensure Americans have access to our national parks?

Answer. I understand that the NPS is very close to bringing to a conclusion the negotiated rulemaking process with regard to Cape Hatteras. I am certainly willing to work with you on issues relating to access to our National Parks.

Question 113. Given that DOI controls around one fifth of the total land in the U.S., it stands to reason that a large portion of new transmission lines will run across public land to get energy from remote areas to market.

As Secretary, how do you intend to deal with siting issues on public lands?

Answer. Interior can play a critical role in helping our nation move toward energy security and sustainability, and this will be a very significant initiative for me. First, I plan to work closely with Governors, state wildlife agencies, state land trusts, and private landowners to make sure we choose the most appropriate corridors for transmission. Second, I expect to move quickly where transmission is needed, solving problems and addressing concerns. Like other Americans, I want results. And third, if we identify changes to speed up siting in a responsible fashion, I will pursue them. I will also help the Administration address critical issues such as cost allocation and financing of these grid improvements.

Question 114. There is a great deal of support for the development of a robust, domestic manufacturing base for batteries and other energy storage devices. Do you believe it is important that the raw materials needed for those batteries come from within the United States as well?

Answer. Yes, if possible and economically feasible.

Question 115. On Tuesday on this week, Secretary Kempthorne and Director Bomar announced the centennial projects that received funding for 2009. The list contained \$27 million for 9 projects in 9 states and the District of Columbia. A full two-thirds of the money (\$18 million) went to a single project while no projects were funded in the Southeast Region. It is my understanding that the goal of the Centennial Challenge is to prepare all national park units for the centennial in 2016. Giving so much to a single park unit is not consistent with that goal.

If confirmed, can you commit to me that you will take a close look at the centennial program and ensure that the distribution is more equitable in the future?

Answer. I believe that preparing the National Park System for its next century is one of the most important challenges of this Administration. I look forward to becoming more involved in the Centennial Program and examining its priorities for distribution of centennial funding.

Question 116. The national parks represent America's heritage, and it is important we protect this national inheritance and ensure that our society receives the full benefit of our national parks for generations to come. The current Administration recognized this responsibility and under the leadership of the First Lady and Secretary Kempthorne launched the Centennial Initiative, comprised of both advocating for increases in the Park Service's operating budget, and launching the Centennial Challenge, a program that leverages the support of the philanthropic community to carry out important projects and programs throughout the National Park System. During the campaign, President-elect Obama stated: "I am committed to addressing the funding shortfall that the National Parks Service has experienced, and ensuring that by 2016, the National Parks Service centennial, the national park system has the resources it needs to meet its unmet maintenance and operational needs." The philanthropic connection was the most important facet of the centen-

nial challenge last congress, but proposed legislation stalled because it included a requirement for mandatory spending.

As Secretary-designee, how do you envision carrying forward the important work that has been done to date on the centennial initiative, and how do you intend to carry out the commitment by President-elect Obama?

Answer. While I am not at liberty to discuss specific projects, I am already examining opportunities with the economic stimulus package for providing funding for projects within our National Parks that will not only address some of the unmet needs of the National Park System but will also provide jobs for Americans. I also plan to work with my team and the NPS through the budget process on these important issues.

Question 117. If confirmed as Secretary DOI, would you work to ensure that any increases in spending for the National Park Centennial Challenge are fully paid for?

Answer. I am looking for various opportunities to provide funding for this important initiative, both within vehicles that include offsets and those that do not.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR DEMINT

The United States suffers from reliance on imported oil and increasingly on imported natural gas. As we saw this past summer, this reliance can bring dramatic price swings to the domestic energy market, causing great strain for American families and their budgets. As a result of these high prices, the Congressional and Executive Moratoria banning exploration and development of energy on the Outer Continental Shelf were lifted as of October 1, 2009, bringing Americans hope for reducing our energy dependence.

You mentioned in your opening statement that you, too, are worried about our country's dependence on foreign oil.

Question 118. As part of a broad plan for greater energy independence, do you oppose efforts to reinstate the moratoria?

Answer. As I stated during my hearing, I will closely examine the question of the moratoria and, more generally, the issue of potential new offshore drilling activity, in the context of a comprehensive energy policy for our nation.

Question 119. Currently the Mineral Management Service is writing a new 5-year plan, which would allow for the possibility of lease sales in the Outer Continental Shelf off the East Coast and Eastern Gulf of Mexico. As Secretary, will you allow this new 5-year plan to move forward?

As part of a plan to create jobs, and to help reduce the cost, in any economic stimulus, would you consider supporting the expansion of leasing of Federal lands for the development of our domestic resources? Under what conditions would you support it?

Answer. As the President has indicated, offshore oil and gas leasing in some of the so-called frontier areas previously subject to moratoria might be considered as part of an overall energy policy that the Administration wants to craft with Congress. Regarding the five year leasing plan, the current plan runs through 2012, and ordinarily steps would begin to prepare the next plan in 2010, so there is no need for great haste in reconsidering the current plan. This matter too can be considered as part of an overall energy policy. Expansion of leasing of Federal lands to develop domestic energy resources, especially renewable resources like solar, wind and geothermal, should definitely be considered as part of an overall energy policy. We should recognize, however, that issuing and developing leases takes considerable time so such measures do not fit well in a package to provide short-term stimulus to the economy.

Question 120. The Energy Policy Act of 2005 established a national program to develop oil shale and oil sands, including a programmatic environmental impact assessment and other activities necessary for a full-scale leasing program.

RD&D leases grant rights to develop oil shale resources on tracts not to exceed 160 acres of public land for lease. The initial term of the leases is 10 years, and also contains a preferential right to convert the RD&D acreage plus adjacent acreage up to 4,960 acres to a 20-year commercial lease once commercial production levels have been achieved and all requirements have been met. The RD&D leases include a number of project-specific requirements for permitting, monitoring, and mitigation to reduce possible impacts to the environment.

Would you support another round of RD&D leasing? Under what circumstance are you willing to support commercial competitive leasing?

Answer. I am skeptical about the need for more RD&D leasing, given that six such leases have already been issued, which would seem to provide ample opportunity for the development of new technologies which are critical if oil shale is to

play a future role in the nation's energy mix. I am willing, however, to listen to the case for more such leasing.

Question 121. A company seeking to develop an offshore lease must have an array of state and Federal permits. These permits are required by laws put in place to protect the environment. While I represent a state that has beaches, swamps, and mountains, I support the idea behind these measures. However, experience has shown that offshore energy development can occur in an environmentally responsible manner. The industry has a remarkable safety record.

In some instances over 30 permits from seven different agencies are required to drill one exploratory well. That is just one pre-production well. This is not a sustainable model. We must find a way to rationalize the process without short-circuiting environmental safeguards.

What are your thoughts on expediting applications for permits to drill from the time the lease is approved to when the site reaches full production?

Answer. I understand that it often takes years for offshore leases to be brought into development. There are many reasons for this lag time, including, but hardly limited to, the regulatory permitting process. I agree with you that protecting the environment is very important and deserves support, and that offshore energy development does have an excellent environmental safety record in the last several decades. As Secretary, I will always be open to ideas to streamline permitting processes without sacrificing the environmental and other interests that created the need for the permitting process in the first place.

Question 122. In recent years, the Bureau of Land Management ran a successful pilot program to speed the permit delivery process by bringing all the permitting agencies together in a single office—one stop shopping, if you will.

Would you support such regional permitting offices with all the Federal permitting agencies in a single office? Further, do you have any additional plans, or ideas, to make the processing of these permits more efficient?

Answer. I intend as Secretary to take a close look at such efforts to streamline permitting without sacrificing environmental protection and, if they work, I will consider expanding them.

Question 123. This Committee and Congress has become accustomed to routinely passing numerous authorization bills without funding or bills that violate private property rights. As Secretary of the Interior, do you support legislation that places U.S. government interests above individual property rights?

Answer. The U.S. Constitution protects private property rights, but it has been recognized for centuries that such rights are not absolute; for example, a property owner cannot use his or her property in such a way as to cause a public nuisance. The U.S. Supreme Court has in countless decisions recognized the power of the government to protect the public interest by appropriate legislation, even if that curtails some uses of property. I firmly believe in respecting property rights but I also firmly believe in the responsibility of government to protect the public, and as Secretary I intend to work hard to strike the proper balance.

Question 124. The sheer amount of land owned by the Federal government is breathtaking, and each year executive agencies right policies and Congress passes legislation that accumulates more land. Do you support the U.S. government owning ever increasing amounts of land. Do you believe we should offset new land acquisitions by relinquishing land in other areas of the U.S.?

Answer. To paraphrase the President in his inaugural speech, the question is not whether the U.S. has too much or too little land; it is whether the U.S. has the right land that serves the national interest and belongs in national ownership. I am very wary of using mathematical formulae in determining what lands the Federal government should own. It is constantly making adjustments in its land base, both disposing and acquiring lands to fit individual circumstances, and I expect that process to continue on my watch as Secretary.

Question 125. On January 12, 2009, a U.S. Fifth Circuit Court of Appeals panel unanimously affirmed a previous Federal District Court ruling in favor of Kerr-McGee Corporation concerning the appropriate application of royalty relief for leases issued under the Deep Water Royalty Relief Act of 1995. This is the fourth time a Federal court has rule in favor of Kerr-McGee and against the Department of Interior.

How do you intend to proceed forward? Do you believe more legal action is warranted?

Answer. I know that the Bush Administration regarded the Kerr-McGee position in this lawsuit—that it was entitled to escape paying royalties to the U.S., no matter how high the price of oil, and its profits, rose—was inconsistent with the statute Congress passed authorizing royalty relief in limited circumstances. I strongly believe the U.S. government (and its taxpayers), who own this resource, are entitled

to fair compensation when it is extracted and sold for private profit. I intend to consult with my lawyers at Interior and at the Department of Justice and decide how to proceed.

RESPONSES OF KEN SALAZAR TO QUESTIONS FROM SENATOR BARRASSO

Question 126. What steps would you take in order to ensure that listing decisions under the Endangered Species Act are made 'solely on the basis of the best scientific and commercial data available' as required by Section 4(b) of the ESA?

Answer. As you know, in recent years there were numerous reports that the scientific underpinnings of listing and other decisions under the Endangered Species Act were inappropriately meddled with and rewritten by political appointees with an ideological agenda. I intend as Secretary to restore integrity to the Departmental decision-making processes, and to insure that science is given appropriate consideration and that statutory standards are followed.

Question 127. Will your administration bring any new strategies to the management of wild horses to assure that horse numbers on the range are reduced to and maintained at currently approved management levels?

Answer. I understand that wild horse overpopulation and management remain continuing problems in some areas of our public lands. I expect that there will need to be continued management of wild horses if we are to maintain balance on the public lands. I intend as Secretary to look at all reasonable options.

Question 128. What steps will your administration take to meet the BLM's statutory obligations to conduct rangeland monitoring and to complete NEPA analysis on livestock grazing allotments in a timely manner?

Will you support continuation of current appropriations language that assures timely renewal of grazing permits pending completion of required environmental analysis?

Answer. I understand that BLM (and the Forest Service) have for many years had difficulty meeting their NEPA obligations in connections with grazing permit renewals, and that Congress has had to step in from time to time and providing legislative relief. I intend to look at ways to address the issue.

Question 129. Will the Obama administration support or oppose legislation providing for broad Federal buyout of grazing permits?

Answer. In the abstract, I find the idea of marketplace solutions to grazing conflicts—where private or public money is used to buy grazing permits from willing seller ranchers in order to retire the public land from grazing—has considerable appeal. It could provide, in some circumstances of longstanding conflicts, a fair solution that respects ranchers' investments and their decision to sell out. Whether public as opposed to private philanthropic funds should be used for such purposes raises a somewhat different set of questions. I intend to look further into this matter.

Question 130. Would you support efforts to provide greater certainty to livestock grazing permits in return for a permittee's commitment to maintain associated private lands in agricultural production, thereby assuring protection of open space and wildlife habitat?

Answer. Federal livestock grazing permits, which usually have a ten-year term, are almost always renewed so that, in practice, permit holders already have a great deal of certainty. I am, however, very interested in exploring ways to give ranchers and other private landowners more incentives to protect wildlife habitat and open space, and as Secretary I intend to do so.

Question 131. As Federal policy makers, we often hear complaints from state game department officials that the designation of Federal lands as wilderness, for example, seriously impedes their ability to actively manage habitat in order to allow wildlife populations to flourish. As Interior Secretary, would you support efforts to ensure that these local wildlife and habitat management experts are allowed the latitude necessary to properly manage wildlife and habitat in a manner they deem appropriate?

Answer. The Wilderness Act and the individual statutes by which Congress designates Federal lands as wilderness usually set out in considerable detail what kinds of activities can and cannot be done in wilderness areas. While the core idea of wilderness contemplates leaving nature alone, applicable wilderness legislation does allow for management in some circumstances. I look forward to continuing to work with Congress in this matter.

Question 132. The nation's hunters, anglers, and target shooters cite access to public lands as one of their most important issues to sustain our nation's hunting and angling heritage. What will you do as Secretary of the Interior to address these concerns on lands administered by the Department of the Interior? Will the needs

and interests of these recreationists be addressed in land management plans as are the needs and interests of other recreationists?

Answer. I believe that hunters and anglers are one of the most important constituencies of the public land management, and I intend to make sure that their interests are addressed in Departmental decision-making.

APPENDIX II

Additional Material Submitted for the Record

STATEMENT OF CHRIS DEVERS, CHAIRMAN OF THE PAUMA BAND OF MISSION INDIANS
AND CHAIRMAN OF THE COUNCIL OF ENERGY RESOURCE TRIBES

Good morning Chairman Bingaman, Ranking Member Murkowski, and distinguished members of the Committee on Energy and Natural Resources. My name is Chris Devers and I am the Chairman of the Pauma Band of Mission Indians. I am also the Chairman of the Council of Energy Resource Tribes ("CERT").

I am very pleased to submit for the Committee's consideration this statement on President-elect Obama's nomination of Senator Ken Salazar to be the Secretary of the Interior.

Founded in 1975 during what was then known as the "Arab Oil Embargo", CERT is headquartered in Denver, CO, and boasts 57 member Indian tribes. CERT's member tribes are actively engaged in the development and production of renewable and non-renewable sources of energy from coast to coast.

CERT's mission is to support member tribes in the development of their management capabilities and the use of their energy resources to foster tribal economic development and political self-governance. CERT is governed by a Board of Directors comprised of the principal elected leadership of CERT's member Indian tribes.

In the past several years, CERT has been very active on the legislative and policy front and was instrumental in the development and passage of the Indian Tribal Energy Development and Self Determination Act of 2005 as well as the passage of the Energy Independence and Security Act of 2007. CERT's policy objectives in the 111th Congress include the furtherance of innovative energy development on tribal land, improvements in the management of Federal land management agencies, and much-needed reforms to the Indian tribal trust management apparatus.

As this Committee knows, the entire U.S. Government has a Trust Responsibility to protect and ensure the benefit of Indian trust assets and resources. The Department of the Interior is the lead agency charged with implementing the Government-to-Government relationship between the United States and the 561 Federally-recognized Indian tribes in America.

As such, the Interior Secretary is in a key position to determine how the special legal and political relationship will be carried out and how the priorities of the Indian tribal leaders will be addressed.

CERT and its member tribes have had many positive experiences with Senator Salazar and fully support his candidacy to be the next Secretary of the Interior.

Since the late 1960's, when the Policy of Indian Self Determination was first articulated by President Johnson and President Nixon, Indian tribes have made significant strides in enhancing the sophistication of their political institutions and the vitality of their economies.

Nonetheless, much remains to be done by tribes in partnership with the Federal trustee when it comes to improving the management of trust lands, assets and resources, and improving the material standards of living of Indian people.

Achieving these objectives requires a Secretary willing to engage Indian country, listen to and appreciate the wisdom and experience of Indian tribal leaders, and demanding that Indian tribal interests be foremost in his mind.

Senator Salazar has demonstrated this kind of determined leadership in his years of public service in the State of Colorado and in the U.S. Congress.

CERT and its member tribes are confident that Senator Salazar will be the kind of Secretary that will ensure the welfare of the Indian tribes and their members and we can commit to working with him on the many challenges that he and the Department will face in the years to come.

I appreciate the opportunity to provide this statement for the record and look forward to working with the Committee in the coming months and years.

THE NATURE CONSERVANCY,
Arlington, VA, January 13, 2009.

Hon. JEFF BINGAMAN,
Chairman, Committee of Energy and Natural Resources, U.S. Senate, Washington, DC.

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

DEAR SENATOR BINGAMAN AND SENATOR DOMENICI: I am writing on behalf of the one-million members of The Nature Conservancy to urge confirmation of Senator Ken Salazar as Secretary of the U.S. Department of Interior. The Nature Conservancy is an international, nonprofit organization dedicated to the conservation of biological diversity. Our mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.

Senator Ken Salazar has had a distinguished and successful career in land and water conservation and management and is highly qualified to lead the Department of Interior. His background as a water and property lawyer, Director of Colorado's Department of Natural Resources, Colorado Governor's Legal Counsel, Colorado's Attorney General and as Colorado Senator is ideal for the challenges that face our nation's natural resources.

The Nature Conservancy is pleased that someone of Senator Salazar's depth of knowledge and expertise in water, public lands and minerals has been nominated for this crucial assignment. But, beyond that, time and time again over his long career in natural resources, Senator Salazar has brought people of diverse views together around difficult problems, and reached creative solutions that work for all.

The Nature Conservancy has worked directly with Senator Salazar on a number of critically important natural resource issues. As head of the Colorado Department of Natural Resources in the early 1990's, he recognized the need for more public investment in conserving Colorado's lands and waters, and led the effort to create the Great Outdoors Colorado Trust Fund (GOCO). He then served as the first chairman of GOCO, helping make it one of the most successful land conservation efforts in the United States. As Colorado Attorney General and then Senator, he led the effort to bring together community needs and natural resource protection in Colorado's San Luis Valley. The result was the establishment of the Great Sand Dunes National Park and the Baca National Wildlife Refuge—an unprecedented land and water protection project that enjoyed broad based bi-partisan support.

We believe that as Secretary of the Interior, Ken Salazar will use his extensive knowledge, personal integrity, and collaborative approach to ensure the conservation and wise stewardship of this Nation's magnificent natural resources. The Nature Conservancy strongly urges you to support Senator Salazar's nomination.

Sincerely yours,

MARK R. TERCEK.

THE NATURE CONSERVANCY,
Arlington, VA, January 12, 2009.

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

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

DEAR SENATOR BINGAMAN AND SENATOR DOMENICI: I am writing on behalf of the one-million members of The Nature Conservancy to urge confirmation of Senator Ken Salazar as Secretary of the U.S. Department of Interior. The Nature Conservancy is an international, nonprofit organization dedicated to the conservation of biological diversity. Our mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.

Senator Ken Salazar has had a distinguished and successful career in land and water conservation and management and is highly qualified to lead the Department of Interior. His background as a water and property lawyer, Director of Colorado's Department of Natural Resources, Colorado Governor's Legal Counsel, Colorado's Attorney General and as Colorado Senator is ideal for the challenges that face our nation's natural resources.

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We believe that as Secretary of the Interior, Ken Salazar will use his extensive knowledge, personal integrity, and collaborative approach to ensure the conservation and wise stewardship of this Nation's magnificent natural resources. The Nature Conservancy strongly urges you to support Senator Salazar's nomination.

Sincerely,

ROBERT BENDICK,
Director, U.S. Government Relations.

SOUTHERN UTE INDIAN TRIBAL COUNCIL,
Ignacio, CO, January 14, 2009.

Hon. JEFF BINGAMAN,
*Chairman, Senate Committee on Energy and Natural Resources, Committee Office,
304 Dirksen Senate Building, Washington, DC.*

Re: Nomination of Senator Ken Salazar as Secretary of the Interior.

DEAR CHAIRMAN BINGAMAN: The Southern Ute Indian Tribe is proud to congratulate Senator Ken Salazar on his recent nomination as the next Secretary of the Interior and anticipates continuing what has been a long and positive relationship with Senator Salazar in his new post. Senator Salazar has always demonstrated respect and support for the Tribe. In his various positions in State government, and more recently as a U.S. Senator, he has approached the Tribe on a government-togovernment basis and has consistently shown respect for that relationship. In his capacity as Senator, he has supported legislation to improve Indian health care and housing. He is keenly aware of the challenges facing the Department of the Interior as well as those facing Indian Country, including the ongoing silent retreat of the Bureau of Indian Affairs from its trust responsibility. Beyond his own integrity, thoughtfulness and respect, Senator Salazar has also held his staffing decisions to a standard of very high quality, which has ensured that key members of his staff share the Senator's commitment to responsive and effective public service.

Based on our history with Senator Salazar, the Tribe looks forward to working with a new Department of the Interior under his leadership; one that will face the issues with reason, analysis and an open ear to those outside the Beltway. The Tribe anticipates more focused management of the Bureau of Indian Affairs and its sister agencies within Interior. Once confirmed, Secretary Salazar and the Departmental leadership he selects will move Interior and Indian policy forward in a thoughtful and respectful way.

Given our experience with Senator Salazar, the Southern Ute Indian Tribe urges the Senate Committee on Energy and Natural Resources to support his nomination to the critical position as Secretary of the Interior in the new administration.

Sincerely,

MATTHEW J. BOX,
Chairman.

COLORADO HISTORICAL SOCIETY,
Denver, CO, January 9, 2009.

Hon. JEFF BINGAMAN,
*Chairman, U.S. Senate Committee on Energy and Natural Resources, 304 Dirksen
 Senate Building, Washington, DC.*

DEAR CHAIRMAN BINGAMAN, I am writing on behalf of the Colorado Historical Society to express our strong support for Senator Ken Salazar's nomination to be the next Secretary of the U.S. Department of the Interior. The Colorado Historical Society is charged with collecting, preserving, and interpreting the history of Colorado for present and future generations. Additionally, in the areas of historic preservation and public land policy, the Society fulfills the roles of State Historic Preservation Office and the Office of Archaeology and Historic Preservation in Colorado. In all these roles, we have enjoyed a positive relationship with Senator Ken Salazar working jointly to ensure that historic preservation receives the appropriate attention and support based on proactive policies, collaborative partnerships, and critical grant programs from the federal government.

The Colorado Historical Society is confident that under Senator Salazar's leadership, the US Department of Interior will continue to set a high standard in the pursuit of historical preservation policy results. His experience as outlined below demonstrates how he will continue to enhance the interaction between the states and the federal government in the nationwide historic preservation program. For example:

- In his role as a US Senator, Ken Salazar championed multiple pieces of legislation creating historic designations throughout the State of Colorado including the Sand Creek National Historic Site and sponsored the designation of national heritage areas such as the South Park National Heritage Area and the Sangre De Cristo Heritage Area.
- Also as a Senator, Ken Salazar worked tirelessly to support the State of Colorado's role in being a national leader in the implementation of Preserve America programs. On a national level, he was instrumental as a co-leader in the establishment of the National Landscape Conservation System Act.
- As Executive Director of the Colorado Department of Natural Resources, Senator Salazar established the Great Outdoors Colorado (GOCO) open space and parks program. This has led to the creation of significant Colorado open space resources for the residents of the state.

On a more personal note, I have had the great pleasure of working with Senator Ken Salazar, a fifth generation Coloradan, on the integration of the National Historic Preservation Act and to promote historic preservation and heritage tourism programs in both metropolitan and remote rural regions in the State of Colorado. Senator Salazar's demonstrated commitment to Colorado and the West with our vast resources in such agencies as the National Parks and the BLM, complemented by his dedication in preserving the cultural, natural and physical elements of the land, make him the ultimate nominee to serve our state and the nation as Secretary of the US Department of Interior.

EDWARD C. NICHOLS,
President and CEO.

STATEMENT OF WILLIAM H. MEADOWS, THE WILDERNESS SOCIETY

Chairman Bingaman, Senator Murkowski and members of the Committee, thank you for the opportunity to offer the views of The Wilderness Society in support of the nomination of Senator Ken Salazar of Colorado for the position of Secretary of the Interior. My name is Bill Meadows, and I am President of the Wilderness Society, an organization founded in 1935 and committed to ensure that future generations of Americans will enjoy the clean air and water, wildlife, natural beauty, and opportunities for recreation and renewal that pristine forests, rivers, deserts, and mountains provide.

Ken Salazar has been a bridge-building conservation leader in Colorado for over a decade, and was a personally committed land steward well before that. He understands the land, water, and people of the West and the intricate connections among those key features of our natural and social landscape. For our part, The Wilderness Society has developed an excellent working relationship with Sen. Salazar and his office, though we have not always agreed with the positions he has taken on every issue of concern to us. Nevertheless, in all instances we have appreciated the inclu-

sive, thoughtful, and open-minded way in which he approaches those positions and discussions leading to them.

Days after he was elected to the United States Senate, Mr. Salazar asked The Wilderness Society and others for our recommendations for public land preservation—new wilderness designations, new national parks, and such. We delivered our list, and he has successfully negotiated and translated two key portions of that list into wilderness legislation that is now poised for approval by Congress.

During the detailed work on the Rocky Mountain National Park wilderness bill and on legislation creating the Dominguez-Escalante national conservation area and, within that, the Dominguez Canyon Wilderness, Mr. Salazar and his staff have been very responsive to our requests for strong and uncompromised protection, even as they were getting pressure from those who oppose those designations. In doing that, he has been able to use his style and his position to develop legislation that respects and accommodates a variety of interests, thus persuading many wilderness skeptics to support the measures.

Similarly, Senator Salazar has taken a deliberate and thoughtful approach to national energy policy. While recognizing the need for reliable energy supplies and while working to ensure those supplies, he has recognized that energy development should not override other public land and environmental priorities. He recognizes that there are some places on the public lands where oil and gas development is inappropriate, and other places where energy production is appropriate, but must be subject to safeguards that ensure the long-term health and beauty of our natural heritage, as well as the health of citizens who live near the oil and gas fields. Few in Colorado, or in Congress, have been more committed champions of sustainable, renewable energy supplies and of energy conserving measures.

This combination of perspectives—sensible energy production and other resource development with a sharp eye on the need to protect more enduring values and resources—hopefully will return our national public lands management to the true principles of multiple use and sustainable yield, and away from the one-sided and destructive production-above-all-else approach of recent years.

Taking on the multitude of issues in the immense landscape that comprises America's publicly owned deserts, rivers, wetlands, mountains, forests, parks and wildlife refuges managed in trust by the Department of the Interior for all Americans is an enormous responsibility. However, our experience with Sen. Salazar suggests that he will take that responsibility on in a strong and effective way, bringing to the task at hand his practical policies of inclusiveness, open-mindedness, and fairness that have characterized his career as a public servant to date.

This combination of perspectives—careful energy and other resource development with a sharp eye on and commitment to protection of the more enduring values and resources of our common natural heritage—will return our national public lands management to the true principles of multiple use and sustainable yield, and away from the one-sided and destructive production-above-all-else approach of recent years.

We ask that you approve his nomination as soon as possible.

Thank you.

STATEMENT OF THE NATIONAL CONFERENCE OF STATE HISTORIC
PRESERVATION OFFICERS

The National Conference of State Historic Preservation Officers supports the confirmation of Ken Salazar as Secretary of the Interior by the United States Senate. Mr. Salazar's varied background provides the broad experience and perspective needed to address the many, diverse and conflicting missions of the Department of the Interior as a farmer, businessman, attorney, State elected official, attorney general, natural resources departmental secretary, and United States Senator. His track record shows a balanced approach to resource decisions considering both conservation and development in determining the public good.

The National Conference offers these comments because our members, the State Historic Preservation Officers (SHPOs), balance conservation and development every day in carrying out the National Historic Preservation Act (16 U. S. C. 470) for the Secretary of the Interior. The State Historic Preservation Officers are the Secretary's "regional field offices" for historic preservation both on and off federal land. On behalf of the Secretary, the SHPOs identify of our nation's historic places, the designate significant places on the National Register of Historic Places, establish formal relationships with more than 2,000 local governments historic preservation programs, support the generation of over \$4 billion in private investment for historic rehabilitation, and hold conversations agencies and project sponsors and stake-

holders about the tension of conservation/development/public benefit of every federal agency activity.

All SHPOs work directly with the Cultural Resources Associateship in the National Park Service daily. Western SHPOs also have a very close relationship with the Bureau of Land Management. The BLM and the SHPOs work together on considering potential impacts of activity on BLM land on historic places, providing public education opportunities, and most especially on historic site survey to find historic places and on the digitization of that survey information in State inventories.

Finally, the National Conference associates itself with the January 2009, endorsement of Secretary-designate Salazar by Edward Nichols, State Historic Preservation Officer and Director, Colorado Historical Society, in a letter to Jeff Bingaman, Chairman, United States Senate Committee on Energy and Natural Resources.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, January 9, 2009.

Hon. JEFF BINGAMAN,
*Chairman, Sen. Energy & Natural Resources Comm., 304 Dirksen Senate Building,
Washington, DC.*

Hon. MITCH MCCONNELL,
*Senate Minority Leader, 361A Russell Senate Office Building, 1st & C Streets, NE,
Washington, DC.*

Hon. HARRY REID,
*Senate Majority Leader, 528 Hart Senate Office Building, 2nd & C Streets, NE,
Washington, DC.*

Hon. LISA MURKOWSKI,
*Ranking Member, 709 Hart Senate Office Building, 2nd & C Streets, NE, Wash-
ington, DC.*

DEAR SENATORS BINGAMAN, REID, MCCONNELL AND MURKOWSKI: The American Farm Bureau Federation, the nation's largest general agricultural organization, endorses the nomination of Ken Salazar to be secretary of the interior.

Sen. Salazar comes from a farm and ranch background, and understands the many challenges our members face. Farmers, ranchers and rural communities are affected when conflicts arise over such issues as endangered species, wildlife protection and management of federal lands. Coming from a federal land state, he also understands the resource management issues that must be addressed by the Department of the Interior. He has demonstrated a willingness and ability to listen to all sides of an issue. This approach will benefit farmers and ranchers, as well as the environment.

We hope to work closely with the incoming secretary on the many important public policy issues facing the agricultural and ranching communities, and would welcome the opportunity of doing so with Ken Salazar. We strongly encourage the committee to approve his nomination swiftly so that he may begin working on the many tasks facing the department.

Sincerely,

BOB STALLMAN.