

**HEARING ON THE NOMINATION OF
THOMAS L. STRICKLAND TO BE
ASSISTANT SECRETARY FOR FISH AND WILDLIFE
AND PARKS OF THE DEPARTMENT OF THE
INTERIOR**

**HEARING
BEFORE THE
COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
ONE HUNDRED ELEVENTH CONGRESS**

FIRST SESSION

MARCH 26, 2009

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ONE HUNDRED ELEVENTH CONGRESS
FIRST SESSION

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**HEARING ON THE NOMINATION OF THOMAS
L. STRICKLAND TO BE ASSISTANT SEC-
RETARY FOR FISH AND WILDLIFE AND
PARKS OF THE DEPARTMENT OF THE INTE-
RIOR**

THURSDAY, MARCH 26, 2009

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC.

The full committee met, pursuant to notice, at 10 a.m. in room 406, Dirksen Senate Office Building, Hon. Barbara Boxer (chairman of the Committee) presiding.

Present: Senators Boxer, Inhofe, Lautenberg, Cardin, Carper, Klobuchar, and Udall.

**OPENING STATEMENT OF HON. BARBARA BOXER,
U.S. SENATOR FROM THE STATE OF CALIFORNIA**

Senator BOXER. The Committee will come to order.

It looks like we are going to be able to move quickly through this. Today, we have before us the nomination of Thomas Strickland to be Assistant Secretary of the Interior for Fish, Wildlife and Parks.

I want to say congratulations, Mr. Strickland, on this nomination. I know we all agree that we live in a Nation blessed with spectacular public lands and a rich array of wildlife, and I am so pleased to see someone so strongly committed to protecting these resources under consideration for this very key position.

If you are confirmed, you will oversee the protection of these treasures, including some of my State's most important wildlife refuges, one in San Francisco Bay, another in San Diego. There are many others.

You will also be responsible for many more special places, including the Golden Gate National Recreation Area, Point Reyes, and Yosemite National Park. I am just naming just a tiny number.

By the way, with this public lands bill on the way to the President and I hope he will be signing it on Monday or so, we have another 770,000 acres in California under wilderness designation. This was done with my Republican colleagues in the House.

So I think your job is really one to be envied because to have a chance to protect all this I consider God's gift to us is a great responsibility and it is a great opportunity.

The Fish and Wildlife Service has gone through quite a difficult time. Many of us believe, not all of us believe this, but I believe that conservation laws have been undercut and public lands have

deteriorated, and in many cases the scientists were not able to speak.

The Interior Department's Inspector General found political interference by the then-Deputy Assistant Secretary for Fish and Wildlife. The IG stated that "she caused," and this is the IG speaking not me, "considerable harm to the integrity of the ESA program and to the morale and the reputation of the Fish and Wildlife Service."

Now, this gives you a real opportunity to lead that agency, and to talk about what is right, what is wrong. And we all want science to prevail. That is essential. Well, the good news is that this month on the Interior Department's 160th anniversary, President Obama committed to restore scientific integrity, and he said, "By being open and honest with the American people about the science behind our decisions, that is how we will harness the power of science to achieve our goals to preserve our environment."

So I think the President has basically said science must be front and center. And I look forward to hearing from you as to how you will fulfill this commitment to put the science first.

One of the critical issues the Fish and Wildlife Service will also face is the impact of climate change on habitat. The world's leading panelists have found that up to 40 percent of the planet's species are at risk of extinction from global warming.

Another issue that needs your attention is the severe maintenance backlog at our national wildlife refuges. Over 300 Fish and Wildlife Service positions have been eliminated since 2004, 300 positions. Funding shortfalls have limited public access. They have reduced law enforcement. They have threatened the wildlife in the system.

Recent funding in the American Recovery and Reinvestment Act will help to address immediate needs at our refuges, but a long-term solution is needed.

I look forward to hearing from you today on these issues and about your plans for revitalizing the Fish and Wildlife Service.

And again, I just want to say that I have the privilege of knowing Tom Strickland. I think he is a man of great integrity, and I know he is going to well with both sides of the aisle.

With that, I turn to my Ranking Member, the esteemed Ranking Member, Jim Inhofe, and after his statement, at that time, we will go to the introduction.

**OPENING STATEMENT OF HON. JAMES M. INHOFE,
U.S. SENATOR FROM THE STATE OF OKLAHOMA**

Senator INHOFE. Thank you, Madam Chairman.

And also, Mr. Strickland, thank you for spending some time with me and I look forward to working with you.

Unfortunately, simultaneously with this, we have an Armed Services Committee hearing, so I have to go back and forth and won't be here for a lot of the time.

The Assistant Secretary for Fish and Wildlife and Parks at the Department of Interior is responsible for overseeing a lot of important programs. You and I talked about these programs, and many of these are very significant.

I am troubled by the Service's recent congressional mandate to revise and reissue ESA rules concerning the listing of the polar bear and modifications to the Section 7 consultation process. My concern is not that reasonable minds disagree about whether these are good rules or about the Department's authority to properly revisit the rules. Rather, I am concerned that Congress has given the Services the unusual authority to waive all requirements for public input and allowances for legal objections under the Administrative Procedures Act, while dictating that these rules be revised within what is now less than 60 days.

These are some of the concerns I have. And Madam Chairman, I would like to put the entire opening statement in the record.

What I would like to do, I am going to try to be here during question and answer time, but should I not, in your opening statement the commitment I would ask of you, Mr. Strickland, is that you make the commitment that you and your staff will treat the minority requests to your office with the same level of attention that you would the majority requests. I know you told me individually. I wanted to get this on the record, and if you would make that statement perhaps in your opening remarks.

What I am going to try to do is get back here, Madam Chairman, in time for questions. All right?

Senator BOXER. Yes, absolutely.

Senator INHOFE. Thank you.

[The prepared statement of Senator Inhofe follows:]

STATEMENT OF HON. JAMES M. INHOFE, U.S. SENATOR
FROM THE STATE OF OKLAHOMA

Good morning. We are here today to consider the nomination of Thomas Strickland for Assistant Secretary for Fish and Wildlife and Parks at the Department of Interior.

The Assistant Secretary for Fish and Wildlife and Parks at the Department of Interior is responsible for overseeing many important programs at the Department. Most notable to this Committee is the management of the U.S. Fish and Wildlife Services and the implementation of the Endangered Species Act.

Mr. Strickland, I am very troubled by the Service's recent congressional mandate to revise and reissue ESA rules concerning the listing of the polar bear and modifications to the section 7 consultation process. My concern is not that reasonable minds disagree about whether these are good rules or about the Department's authority to properly revisit the rules. Rather, I am appalled that Congress has given the Services the unusual authority to waive all requirements for public input and allowances for legal objections under the Administrative Procedures Act while dictating that these rules be revised within what is now less than 60 days.

Given the majority's constant complaints to the last Administration about the lack of process, it is at the very least ironic they would be so bold as to willfully set aside rules protecting public input and transparency. Should you be confirmed, I strongly urge you to use your authority to ensure that guarantees of public process in the APA are followed when revising the polar bear and consultation rules. Anything less will be taken as an abdication of this Administration's commitment to transparency and integrity. More importantly, it will certainly start you off on the wrong foot with the Republicans on this Committee.

Aside from the controversies associated with ESA, the Fish and Wildlife Service does a great deal of good. One of the programs I am particularly interested in is the Partners for Fish and Wildlife Program, which conserves habitat by leveraging Federal funds through voluntary private landowner participation. I look forward to working with you on this and other issues.

I am anxious to hearing your perspectives on the issues that will be raised today. Most importantly, I welcome you to the Committee.

I am sorry that Jon Cannon is not here today. I was surprised to learn about his decision to remove his name from consideration to be Deputy Administrator of the Environmental Protection Agency. As part of the oversight process, my staff met

with Mr. Cannon and questioned him about grants received by a foundation on which he was a board member. My staff made it clear that though the organization committed serious missteps in managing Federal grants, it did not warrant opposition to Mr. Cannon's nomination. I have long made EPA grant oversight a priority, and I am looking forward to working with the next nominee to be Deputy Administrator.

Senator BOXER. We are not going to have any more opening statements except that Senator Carper wanted to give a welcome.

Senator CARPER. Mr. Strickland, welcome. I think I have seen you before. It is nice to see you here today, especially sitting with Mark Udall. We are delighted you are here, and appreciate your willingness to take this on.

Thank you. I will have more to say later, but we are glad you are here.

Senator BOXER. Is that it? You are done? OK.

Senator Bennet, how nice to see you.

Well, why don't we then call on first Senator Mark Udall, and then Senator Bennet, to introduce our esteemed nominee. And then we will get to your opening statement and then we will hear from our colleagues.

Go ahead.

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

Senator UDALL. Good morning, Madam Chairwoman and Ranking Member Inhofe.

Madam Chairwoman, if I could, I would ask for unanimous consent for my formal statement to be included in the record.

[The referenced material was not received at time of print.]

Senator BOXER. Absolutely.

Senator UDALL. Thank you, Madam Chairwoman.

Just 2 months ago, the Senate had the pleasure of sending one of our own, Senator Salazar, to head the Department of Interior, and he also happened, and he still happens to be a Coloradan. Today, I have the honor of introducing another Coloradan, Tom Strickland, to be the next Assistant Secretary for Fish and Wildlife and Parks for the Department of Interior.

I would tell you that I am particularly pleased, as the Chairman of the Subcommittee on Energy and Natural Resources for National Parks, to support Tom's nomination, because he has a long history of activism on behalf of protecting National and State parks.

If you will excuse me for indulging in a bit of home State pride, it is I think exciting to see so many Coloradans who have given up the opportunity to live in such a wonderful State to be here in Washington at this historic time. And I think it speaks highly of Senator Salazar's capacity to motivate the people around him that he has been able to draw such talent.

It is clear that Tom Strickland will be an excellent Assistant Secretary of the Interior. He has an exceptional record of success in the private and the public sector. He also has an extraordinary wife, Beth, who is here with him today who is inspirational in her own right and her own successes.

I mention Tom's public and private sector experience. He served as the U.S. Attorney from 1991 to 2001. He also has worked as a partner in a number of law firms, and for the lawyers here, he

served as the managing partner at a couple of these law firms. And you know, if you can mobilize and inspire and lead 100 or more attorneys all at the same time, you have real talent.

In the 1980s, he served as then-Governor Lamm's Chief Policy Adviser, and he worked on all policy and intergovernmental issues. And from 1985 to 1989, he was the head of the Colorado Transportation Commission.

He has roots in the great State of Louisiana, which the Senators from Louisiana have taken note of. He was an All SEC academic football selection, and he received a J.D. from the University of Texas School of Law with honors.

Now, Madam Chairman, I have worked with Tom Strickland for many years. He is known in Colorado for his deep dedication and love of our natural landscapes. There was an initiative in the late 1980s and 1990s called Great Outdoors Colorado which directed State lottery moneys to the acquisition of public lands for parks, open space and conservation. Tom led that charge and it is now a model for the rest of the Country.

He is an accomplished outdoorsman. We both have a deep love for the outdoors and the history and the people and the landscapes of the West. I think and I know that this is what motivated Tom to public service in the first place and sustained two very courageous runs for the U.S. Senate.

Madam Chair, I want to end with a reference to Tom Friedman, because I am often influenced by his thinking and his writing. Over this last weekend, Mr. Friedman reminded us of the value of inspirational leadership. He quoted Dov Seidman, the author of the book "How," on what it takes to make an organization sustainable. He wrote, "Laws tell you what you can do. Values inspire in you what you should do. And it is a leader's job to inspire in us those values."

I mention this because I know that as the Assistant Secretary, Tom's job will demand both enforcement of laws, regulations and important rules, and inspired collaborative leadership. He knows, as one of the Country's most successful lawyers, how to enforce environmental laws. And as a man who draws inspirations from our mountains, plains and waters, he knows how to motivate and lead others.

So with Secretary Salazar at the helm, I know that Tom Strickland will be a strong and effective partner, and I am very pleased to support his confirmation. It is truly an honor to introduce him here today.

Thank you.

Senator BOXER. Senator Udall, thank you so much for being here. I know everybody has hectic business to attend to, so we understand if you need to leave.

We are delighted that Senator Bennet is here. We are thrilled.

**OPENING STATEMENT OF HON. MICHAEL F. BENNET,
U.S. SENATOR FROM THE STATE OF COLORADO**

Senator BENNET. Thank you, Madam Chair.

I would only echo what my senior Senator has said, from our State. Tom Strickland is one of the finest public servants that has ever been produced by the State of Colorado. He is a person for

whom no challenge is too big, either in the public or the private sector.

Tom and Beth and their beautiful daughters are neighbors of ours in Denver. You could throw a rock if you wanted to from one house to the other.

Senator BOXER. You better be careful. You better support everything he wants to do over there.

Senator BENNET. I will. But I will tell you that he is somebody who cares passionately about making sure that our generation leaves more opportunity, not less, to the generation that is coming after us, that we preserve and protect our public lands. It is a great testament to Tom that he has been willing to come out of the private sector again to come serve his Country. So I am incredibly proud to be here today to support his confirmation.

Thank you.

Senator BOXER. Thank you so much.

With that, we will turn to our nominee, and then in the order of arrival, we will turn to other Senators: Udall, Carper, Klobuchar, Lautenberg.

[Remarks off microphone.]

Senator BOXER. Just vote for the one nearest you. That is what I think.

[Laughter.]

Senator BOXER. OK.

**STATEMENT OF THOMAS L. STRICKLAND, NOMINATED TO BE
ASSISTANT SECRETARY OF FISH AND WILDLIFE AND PARKS
OF THE DEPARTMENT OF THE INTERIOR**

Mr. STRICKLAND. Thank you, Chairman Boxer, Senator Inhofe and members of the Committee.

I am honored to be here with you today as President Obama's nominee for Assistant Secretary for Fish and Wildlife and Parks. Earlier this week, I also appeared before the Senate Energy and Natural Resources Committee.

I am joined here today by my wife Beth, and I would like to thank her for all of her love and support over many years. Not able to be with us here today, but with us in spirit, are our three daughters, Lauren, Annie and Callie.

Like each of you, I have a deep commitment to public service and consider it a privilege to have the opportunity, if confirmed, to return to government service. As I will briefly describe in a few moments, I have had the opportunity during my career to serve in both State and Federal Government, and these experiences have been the highlights of my career.

The responsibilities of this job include oversight of two very important parts of the Interior Department: the Fish and Wildlife Service and the National Park Service. As I will address in my brief remarks, I believe my passion and experience qualify me for this position at this important moment in time.

A lawyer by training, I spent the majority of my career in Colorado, where I have worked in both the public and private sectors. Following a judicial clerkship in 1979, Beth and I moved to Denver. In 1982, I was asked by then-Governor Lamm to join his office as his Chief Policy Adviser. In that role, I dealt extensively with the

Interior Department and other Federal agencies regarding many important natural resource issues. Because one-third of Colorado is Federal land, the decisions made in Washington have a profound impact on the State and consumed much of our attention. If I am confirmed, I believe this perspective will be valuable in helping me understand and work with State and local governments.

After I left the Governor's office and returned to private law practice, I was asked by Governor Lamm to serve on and eventually chair the Colorado Transportation Commission, where I had the opportunity once again to work with many different Federal agencies including the Fish and Wildlife Service.

My civic and community work included volunteering on many environmental and natural resource issues. I helped create the Great Outdoors Colorado Program, which Senator Udall mentioned, and served on its original organizing board. We now proudly look back at Great Outdoors Colorado and the fact that it has invested \$600 million and preserved 600,000 acres just in the State of Colorado for open space, parks and wildlife programs since 1993.

In 1999, I was appointed by President Clinton and confirmed by the Senate as United States Attorney for Colorado. I was sworn in the day after the Columbine tragedy and spent my first day on the job at the school with the Attorney General of the United States.

During my tenure as U.S. Attorney, I had the responsibility of representing the United States in all civil and criminal matters in Colorado, and I worked closely with the Interior Department, as well as other Federal agencies. Once again, this experience gives me a valuable perspective on the role and impact of the Federal Government.

While these professional experiences contribute to my qualifications for this position, I believe my passion for the mission of the Department is equally relevant. I grew up hunting and fishing with my father and brother, and bring the perspective of a sportsman to this task. After law school when we moved to Colorado, we quickly fell in love with the outdoors, the mountains, rivers, deserts, parks and wildlife of the West.

I recognize and appreciate that our system of national wildlife refuges span all 50 States and play an invaluable role in preserving and protecting countless species and habitats. Yet these vital lands face enormous pressures from population growth and climate change. I believe we must develop a strategic plan to ensure that these challenges are addressed so that we have a 21st century vibrant wildlife refuge system.

One of the most significant responsibilities of the Fish and Wildlife Service is the implementation of the Endangered Species Act, a critically important law to ensure the conservation of plant and animal species and habitat. My commitment to you is that, if confirmed, I will work to see that the decisions of the Service are based on science, not politics.

While it does not fall within the direct jurisdiction of this Committee, I would like to say a few words about the other primary area of responsibility of this position, overseeing the National Park Service. Like many families before us, many years ago our family bought a book on the national parks and set out to see all of them. We are still working on it, and from Acadia to Great Smoky Moun-

tains to Yosemite, we have enjoyed most of them. They are, as Wallace Stegner famously said, America's best idea. It is time for our generation to be responsible stewards for these treasured icons.

As the park system approaches its 100th anniversary, the parks are in great need of significant investment. Just as President Lincoln did not let the Civil War keep him from setting aside and protecting Yosemite Valley, we must not use our current economic circumstances as an excuse for inaction. If confirmed, I will do everything in my power to protect and enhance our incomparable park system.

In closing, I would be deeply honored to serve as Assistant Secretary for Fish and Wildlife and Parks. I have a deep passion for the mission of these two services, and great respect for Secretary Salazar, a friend for almost 30 years, and his vision for the Department.

Thank you for the opportunity to present this statement, and I would like to affirm, as requested by Senator Inhofe, that I would treat the requests of the minority with the same attention and responsiveness as those of the majority.

Thank you, Chairman.

[The prepared statement of Mr. Strickland follows:]

Opening Statement of Tom Strickland
Environment and Public Works Hearing
Thursday, March 26, 2009 at 10:00am

Thank you Chairman Boxer, Senator Inhofe, and Members of the Committee. I am honored to be here with you today as President Obama's nominee for Assistant Secretary for Fish and Wildlife and Parks. Earlier this week, I also appeared before the Senate Energy & Natural Resources Committee.

I am joined here today by my wife Beth and I would like to thank her for all of her love and support over many years. Not able to be here today, but with us in spirit, are our three daughters, Lauren, Annie, and Callie.

Like each of you, I have a deep commitment to public service and consider it a privilege to have the opportunity, if confirmed, to return to government service. As I will briefly describe in a few moments, I have had the opportunity during my career to serve in both state and federal government, and these experiences have been the highlights of my professional life.

The responsibilities of this position include oversight of two very important parts of the Interior Department – the National Park Service and the Fish and Wildlife Service. As I will address in my brief remarks, I believe my passion and experience qualify me for this position at this important moment in time. A lawyer by training, I have spent the majority of my career in Colorado where I have worked in both the public and private

sector. Following a judicial clerkship with a federal judge, in 1979 my wife and I moved to Denver. In 1982, I was asked by Governor Richard Lamm to join his office as his chief policy advisor. In this role, I dealt extensively with the Interior Department and other federal agencies regarding many important natural resource issues. Because one third of Colorado is federal land, the decisions made in Washington have a profound impact on the state and consumed much of our attention. I believe this perspective will be valuable in helping me understand and work with state and local governments. After I left the Governor's office and returned to private law practice, I was asked by Governor Lamm to serve on and eventually chair the Colorado Transportation Commission, where I had the opportunity to once again work with the federal land management agencies. My civic and community service included volunteering on many environmental and natural resource issues. A crown jewel of my work was helping create the Great Outdoors Colorado program and serve on its original organizing board. Now, I proudly look back at the Great Outdoors Colorado program - \$600 million invested and 600,000 acres protected in state parks, open space, and wildlife since 1993.

In 1999, I was appointed by President Clinton and confirmed by the Senate as United States Attorney for Colorado. I was sworn in the day after the Columbine tragedy and spent my first day on the job at the school with the Attorney General. During my tenure as U.S. Attorney I had the responsibility of representing the United States in all civil and criminal matters in Colorado, and I worked closely with the Interior Department as well as other federal agencies. Once again, this experience gave me a valuable perspective on the role and impact of the federal government.

While these professional experiences contribute to my qualifications for this position, I believe my passion for the mission of the Department of the Interior is equally relevant. I grew up hunting and fishing with my father and brother and bring the perspective of a sportsman to this task. After law school, my wife Beth and I moved to Colorado and quickly fell in love with the West – the mountains, rivers, deserts, the parks, and the wildlife.

I recognize and appreciate that our systems of national wildlife refuges span all 50 states and play an invaluable role in preserving and protecting countless species and habitats. Yet these vital lands face enormous pressures from population growth and climate change. I believe we must develop a strategic plan to assure that these challenges are addressed so that we have a vibrant 21st century wildlife refuge system.

Another significant responsibility of the Fish and Wildlife Service is the implementation of the Endangered Species Act. This is a critically important law to ensure the conservation of plant and animal species and their habitats. My commitment to you is that, if confirmed, I will work to see that the decisions of the Service are based on science, not politics.

The other primary area of responsibility of this position is to oversee the National Park Service. Like many families before us, many years ago our family bought a book on the national parks and set out to visit all of them. We are still working on it, but from Acadia to Yosemite, we've enjoyed most of them.

They are, as Wallace Stegner famously said, "America's best idea," and it is time for our generation to be responsible stewards for these treasured icons. As the park system approaches its 100th anniversary, the parks are in great need of significant investment. Just as President Lincoln didn't let the Civil War keep him from protecting Yosemite Valley, we must not use our current economic circumstances as an excuse for inaction. If confirmed, I will do everything in my power to protect and enhance our incomparable park system.

In the work, I will do at the Department; I pledge to listen to the broad diversity of voices that care about our national parks and fish and wildlife resources. That inclusive approach is one that I have always embraced and one that is consistent with how Secretary Salazar has always conducted himself.

In closing, I would be deeply honored to serve as Assistant Secretary for Fish and Wildlife and Parks. I have a deep passion for the mission of these two services and great respect for Secretary Salazar, a friend for 28 years, and his vision for the Department. Thank you for the opportunity to present this statement.

Assistant Secretary-Designate Strickland

Senator Lautenberg

1. Some of New Jersey's National Wildlife Refuges have been "complexed" or combined, leading to a lack of resources and the inability to properly manage the wildlife habitat. For example, at Supawna Meadows National Wildlife Refuge in Southern New Jersey, complexing has eliminated all staff, closed the office to visitors and volunteers, and removed all maintenance equipment. What will the Fish and Wildlife Service do to fix this problem?

Answer: I am informed that National Wildlife Refuge complexing is one tool the U.S. Fish and Wildlife Service uses to manage the units within the Refuge System, combining administrative and budgeting functions from two or more refuge units to improve the efficiency of staffing and reduce operating costs. I am not familiar with the circumstances that led to complexing Supawna Meadows National Wildlife Refuge, however, if confirmed, I will look into this issue.

Assistant Secretary-Designate Strickland

Senator Lautenberg

2. Fish and Wildlife scientists have documented hundreds of thousands of bats dying during hibernation season in the Northeast. In some areas, closed to one hundred (100) percent of the bats have died. Experts worry that some species of bats could face extinction. What will the Fish and Wildlife Service do to address this situation?

Answer: White-nosed bat syndrome (WNS) has already killed hundreds of thousands of bats from Vermont to West Virginia. The U.S. Fish and Wildlife Service, U.S. Geological Survey, multiple State agencies, academic laboratories, non-governmental organizations, and the caving community are working together to address the significant effect that WNS is having on bat populations. I understand that efforts are underway to determine the cause of the syndrome, monitor its spread, and collect baseline information to better understand the effects of WNS on bats and inform the public. On Thursday, March 26, 2009, the U.S. Fish and Wildlife Service issued a cave advisory asking those who use caves where bats hibernate to take extra precautions and, on a voluntary basis, to curtail activities to help prevent the spread of WNS.

Assistant Secretary-Designate Strickland

Senator Lautenberg

3. President Obama has ordered a review of a Bush Administration rule that would exempt agencies from having to consult with the U.S. Fish and Wildlife Service on the impact of federal projects on endangered species. Would you support overturning this Bush Administration rule?

Answer: The Department, at the President's direction, is in the process of reviewing this, among other, regulations issued in the last weeks of the previous Administration. I commit to keep you informed as this review progresses.

Assistant Secretary-Designate Strickland

Senator Whitehouse

4. The Department of Interior has been rocked with ethics scandals during the previous Administration, from the political interference in science led by former Deputy Assistant Secretary for Fish, Wildlife, and Parks Julie MacDonald to the sex and drug offenses of career and political appointees at the Minerals Management Service. Former DOI Inspector General Earl Devaney issued a scathing report last year documenting these incidents and others at the Department.

What steps will you take as the new Assistant Secretary for Fish, Wildlife, and Parks to institutionalize a strong buffer between the political appointees of your office and the career scientists of the Fish and Wildlife Service to ensure that the law and best available science guide agency decisionmaking?

Further, what specific steps will the Department take to respond to the Inspector General report? Will the Department work to explicitly define and forbid political interference in science and agency decision making? What steps will you take to ensure that all your employees adhere to a high ethical standard?

Answer: If confirmed for this position, I will ensure that the Endangered Species Act is administered and implemented with the highest ethical and professional standards and with respect for scientific integrity. I commit to ensuring that the decisions we make under the ESA will be consistent with the statute and its implementing regulations, based on the best available science, and will be carried out in an accountable, transparent fashion that involves the public. Secretary Salazar has also made clear that he will not tolerate the kind of actions that were highlighted in these reports, and conveyed this message to the Department's personnel at an all-employee meeting in January.

Secretary Salazar has also entrusted me, drawing on my experience as a former Federal prosecutor, to lead a broad ethics reform initiative within the Department. Through this effort, we will be looking not only at some of the matters referenced in your question, but also will be carrying out a thorough review the Department's ethics regulations and policies.

Assistant Secretary-Designate Strickland

Senator Whitehouse

5. Last December, the U.S. Fish and Wildlife Service published a final rule to revise title 50 of the Code of Federal Regulations, part 14, referring to Import/Export Licenses. Under part 14, shellfish and nonliving fishery products are considered exempt from the import/export license fee requirements. Specifically, squid is not included in the definition of "shellfish," even though squid is scientifically classified as a mollusk; nor is squid included within the definition of "nonliving fishery products." Can you please explain why squid is not included in the licensing exemption? For example, are these provisions required to protect and conserve the species? In light of the current economic downturn, is there a process in place for obtaining an exemption, temporarily or permanently, from these fees?

Answer: The Service's authority to regulate the import and export of fish and wildlife helps protect domestic and international species from illegal trafficking and guard against the importation of injurious species. The Endangered Species Act provides the U.S. Fish and Wildlife Service with broad authority to regulate the import and export of fish and wildlife. I understand that the ESA exempts shellfish and fishery products that are intended for human or animal consumption and that are not listed as endangered or threatened from the law's trade regulation requirements. I am told that the ESA does not provide a definition of "shellfish and fishery product" and that under the Service's regulatory definition of "shellfish" squid and other mollusks without a shell are excluded, and therefore the Service's import/export regulations, including licensing requirements, apply to these commodities.

Assistant Secretary-Designate Strickland

Senator Inhofe

6. What principles will you employ in administration and implementation of the Endangered Species Act?

Answer: If confirmed for this position, I will ensure that the Endangered Species Act is administered and implemented with the highest ethical and professional standards, and respect for scientific integrity. I commit to ensuring that the decisions we make under the ESA will be consistent with the statute and its implementing regulations, based on the best available science, and will be carried out in an accountable, transparent fashion that involves the public.

Assistant Secretary-Designate Strickland

Senator Inhofe

7. The purpose of the Endangered Species Act is to protect and conserve endangered and threatened species. You indicated in your confirmation hearing before the Senate Energy & Natural Resources Committee that you do not believe that the ESA was intended or designed to regulate GHG's or climate change. Under your leadership, please describe how the Service will deal with activist's petitions to list species based in whole or part on adverse impacts from climatic changes?

Answer: If confirmed I will uphold the principles of the Endangered Species Act, which means evaluating petitions to list based on whether the petition provides substantial scientific or commercial information that the petitioned action may be warranted. I believe that listing decisions must be made on the basis of the best available science.

Assistant Secretary-Designate Strickland

Senator Inhofe

8. The recent congressional mandate for the Services to revise and reissue ESA rules concerning the listing of the polar bear and modifications to the Section 7 consultation process is very troubling. The immediate concern is *not* whether this Administration or radical activists likes them. Rather, it is appalling that Congress has given the Services the authority to waive all requirements for public input as well as allowances for legal objections under the Administrative Procedures Act. If confirmed, would you use this congressionally granted abusive authority to set aside the APA, or would you ensure that guarantees of public process are followed when revising the polar bear and consultation rules?

Answer: The Department is in the process of reviewing the December 2008 rules and has not made a final decision on whether to use the authority provided under the FY 2009 Omnibus Appropriations bill. The Department expects to make its decision within the 60-day timeframe provided under the FY 2009 Omnibus Appropriations bill, signed into law on March 11, 2009.

Assistant Secretary-Designate Strickland

Senator Inhofe

9. During his tenure as Attorney General for the State of Colorado, Secretary Salazar raised concerns with the Fish and Wildlife Service's process for considering the listing of the black-tailed prairie dog. In particular, you raised concerns that there was insufficient, credible information demonstrating that such listing was necessary. Almost 10 years later, the Fish and Wildlife Service has made few, if any, substantive changes to the process by which listing petitions are considered and/or how information is gathered and reviewed in determining whether a species should be designated as threatened or endangered under the Endangered Species Act. How will you work to improve the listing process to ensure that credible data is collected and fully reviewed, including from state and local governments as well as private landowners, prior to any final determination regarding listing of a species under the ESA?

Answer: If confirmed, I commit to implement and administer the Endangered Species Act with the highest ethical standards and professional integrity. I will work with the U.S. Fish and Wildlife Service to ensure that ESA decisions are based on the best available science and done in an accountable, transparent fashion with the meaningful involvement of states, local governments, other federal agencies, tribes and the public.

Assistant Secretary-Designate Strickland

Senator Inhofe

10. Burying beetle populations are healthy in most parts of Oklahoma and other states west of the Mississippi. However, it still remains a listed species because of declines in the northeastern US. I'm concerned that the beetle program is not being fairly handled as a regional problem. Could you please provide for me an explanation of why the burying beetle continues to be listed in Oklahoma despite healthy populations officially reported?

Answer: I have not had the opportunity to familiarize myself with the details regarding the American burying beetle. If confirmed I would be happy to look into this issue and provide you with an update on it.

Assistant Secretary-Designate Strickland

Senator Inhofe

11. Regarding the current ESA review of the sage grouse, what is the status of the review and do you believe the Service is on schedule to meet the court-imposed May deadline for a proposed decision on whether or not to list the sage grouse?

Will there be an extension of the May deadline? As you know the sage grouse is hunted as a game species in 9 western states. What role does hunting have in the determination of whether or not a species should be listed on the ESA? If the sage grouse is listed, will that force cessation of hunting? Could it jeopardize hunting of other species if sage grouse is impacted?

Answer: I am informed that the U.S. Fish and Wildlife Service is currently working to evaluate information related to the status of the greater sage grouse in response to a court-ordered remand of the 12-month finding. Through this status review, the Service will use the best scientific and commercial information available in evaluating the status of the greater sage grouse and any potential threats to the species as defined in the ESA, including hunting, to determine whether the species warrants listing under the ESA. If confirmed, I will ensure that the Service continues to work cooperatively with State fish and wildlife agencies in making ESA decisions.

Assistant Secretary-Designate Strickland

Senator Inhofe

12. FWS has determined that the operation of the Water Project pumps (both State and Federal) jeopardize the continued existence of the Delta Smelt. As a result, no water allocation is going to the farmers in the Central Valley. This means the potential loss of 80,000 farm worker jobs and the destruction of the most efficient and productive agricultural lands in the world – representing our nation's vegetable bowl. What is most striking is that the FWS has had this fish under its protection for 15 years. The singular response during these 15 years has been to shut off pump flows, and watch the population of smelt decline. State and local officials have suggested other options but appear to be ignored. One wonders what it will take to make sense of this issue and possibly save our farm worker's jobs. If confirmed, will you commit to reporting back to this Committee within 30 days of confirmation what other steps will be taken to ensure that agricultural production is not further jeopardized in the Central Valley?

Answer: I am informed that the U.S. Fish and Wildlife Service is working closely with the Bureau of Reclamation, California Department of Water Resources, and other stakeholders to ensure that the Biological Opinion implementation process is responsive and flexible—changing as weather conditions, hydrology and distribution of delta smelt change.

California is experiencing extreme drought conditions, threatening severe consequences for farms, ranches, fishing communities, and the environment throughout the state. I know that the Department is taking action to coordinate with all levels of government and others, in hopes of reducing the burden on all California water users. Secretary Salazar and Secretary of Agriculture Tom Vilsack have formed a Federal Drought Action team charged with expediting Federal drought response actions. If confirmed, I commit to keeping the Committee informed of the actions we are taking with respect to this important issue.

Assistant Secretary-Designate Strickland

Senator Inhofe

13. It is now common practice for environmental groups to file lawsuits against the U.S. Fish and Wildlife Service for failure to timely act on petitions to list species under the Endangered Species Act and/or to designate critical habitat. Usually, settlements and court orders from such lawsuits set deadlines for issuance of proposed and final determinations on listing and critical habitat designation matters that ultimately lead to a rush to judgment and incomplete consideration of available data. Such litigation-driven decision making also interferes with any orderly administrative process for these decisions. As Assistant Secretary please describe those actions necessary, including seeking modification of settlements and request for modification of decrees, to ensure that the Fish and Wildlife Service is allowed to properly carry out your responsibilities under the ESA without the threat of arbitrarily imposed deadlines. If confirmed, will you fully consider proposals that ensure that parties do not use the judicial system to usurp the effective administration of the ESA, including improvements to the management and deadlines for listing and critical habitat determinations under the ESA?

Answer: If confirmed, I will work with the Department of the Interior's Office of the Solicitor and the Department of Justice to seek reasonable time frames that enable the U.S. Fish and Wildlife Service to make decisions on listing and critical habitat consistent with the requirements of the ESA. I will also consider any proposals intended to improve the implementation of the ESA.

Assistant Secretary-Designate Strickland

Senator Inhofe

14. The Partners for Fish and Wildlife Program is model for the Services to follow because it conserves habitat by leveraging federal funds through voluntary private landowner participation. A 2005 law specifically authorized this program and additional funding (up to \$75 million). For FY09 the program will receive almost \$53 million, however, there are indications that \$2 million has been redirected from this program in previous years for costs such as listing the polar bear and other ESA related expenditures. If confirmed, will you commit to providing an accounting of Partners Program funding since October 2006 that shows what appropriations the Program received as well as how the funding was used in each Region?

Answer: The Department of the Interior promotes voluntary cooperation with private landowners, and the U.S. Fish and Wildlife Service's Partners for Fish and Wildlife Program is an excellent model for conserving habitat by leveraging federal funds through voluntary private landowner participation. I have not had an opportunity to review prior funding for the Partners Program, but if confirmed I commit to providing you the information you requested.

Assistant Secretary-Designate Strickland

Senator Inhofe

15. In 2007, Secretary Salazar sponsored legislation that would provide financial incentives for private land owners, including farmers and ranchers, to facilitate the recovery of threatened and endangered species, while preserving the opportunities for productive use of land. (Press Release, Salazar and Allard Team Up to Help Farmers & Ranchers Protect Endangered Plants and Animals (Feb. 2007)). In the 2008 Farm Bill, a limited measure along these lines was enacted for agricultural activities that help conserve threatened and endangered species. Does the Department support efforts to enact incentives for species conservation, including widening of the tax incentives enacted in the 2008 Farm Bill to all private land owners? As Assistant Secretary how would you work to ensure that such tax incentives are made available to all private land owners? How would you establish and promote other voluntary efforts to protect threatened and endangered species while preserving opportunities for productive land use?

Answer: I believe that voluntary conservation efforts on private lands play an extremely important role in the conservation of listed species. Incentives are important tools in this effort to conserve endangered species, migratory birds, fisheries and the habitats upon which they depend.

If confirmed, I will ensure that we are working with Congress and our partners to investigate other incentives to engage land owners in natural resource conservation.

Assistant Secretary-Designate Strickland

Senator Inhofe

16. In a June 10, 2005 letter to Secretary Gale Norton, Secretary Salazar supported the San Luis Valley Regional Habitat Conservation Plan (HCP), which aids the protection of the southwestern willow flycatcher in the San Luis Valley in Colorado. In addition, he advocated that "the U.S. Department of the Interior Fish and Wildlife Service determine that the lands subject to this HCP be excluded from the designation of critical habitat of the flycatcher in Colorado." (Letter of the Hon. Ken Salazar and Wayne Allard to Secretary of the Interior, Gale Norton, June 10, 2005.)

The exclusion of the lands subject to HCPs from critical habitat designations under the ESA serves as an incentive for partnerships between the state and local governments, conservation organizations and landowners to protect and manage threatened and endangered species which "leads to better protection and faster recovery for endangered species." As Assistant Secretary would you apply these same principles to your oversight of the implementation of the ESA and similarly support the exclusion of lands already covered by HCPs from a redundant designation as critical habitat?

Answer: If confirmed I will uphold the principles of the Endangered Species Act. I understand the ESA requires that decisions to exclude areas from critical habitat be based on a case-by-case determination that the benefits of exclusion outweigh the benefits of inclusion in a particular case.

Assistant Secretary-Designate Strickland

Senator Inhofe

17. Numerous courts have determined that recovery plans are nonbinding guidance—namely, that they do not impose requirements on federal agencies. *Fund for Animals v. Rice*, 863 F.3d. 535 (11th Cir. 1996); *Oregon Natural Resources Council v. Turner*, 863 F. Supp. 1277 (D. Or. 1994); *Defenders of Wildlife v. Lujan*, 792 F. Supp. 834 (D.D.C. 1992); *National Wildlife Federation v. National Park Service*, 669 F. Supp. 384 (D. Wyo. 1987). How would you ensure that your Department's implementation of the ESA continues to use recovery plans only as guidance, and does not impose recovery plan measures as mandates through actions such as reasonable and prudent alternatives under a section 7 biological opinion or as required terms in the development of a habitat conservation plan?

Answer. As prescribed in the ESA, Recovery Plans lay out a blueprint for management actions and criteria to recover species. I understand that the U.S. Fish and Wildlife Service has a longstanding position that Recovery Plans are guidance and are only advisory in nature.

Assistant Secretary-Designate Strickland

Senator Inhofe

18. Regarding the interagency consultation process under ESA Section 7, often other agencies' scientific standards and statutory obligations differ or even conflict with the Service's obligations and/or processes. This quandary has been particularly challenging in reconciling pesticide registrations under the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA) with species protection under the ESA. The previous Administration attempted to make sensible regulatory protection changes to create a functional system of review to keep crop and human health protection chemical available while protecting species. Unfortunately, to disrupt this process, activist groups successfully convinced the courts to set aside these counterpart rules. Now EPA and the Service are again disagreeing on science and process. The consequence of which is a series of adverse, scientifically disputed biological opinions on widely used pesticides. *This interagency dysfunction cannot continue simply because of parochial disagreements between agencies about who has the best science or most qualified expert.* Can I get your commitment to lead the USFWS into productive negotiations with the EPA Office of Pesticide Programs to ensure that reasonable, balanced procedures are established to ensure timely, ESA-compliant reviews of pesticides under FIFRA? If you are confirmed will you commit to report back to the Minority members of this Committee within 60 days of confirmation on the steps the Service has taken to reach a reasonable resolution of this interagency challenge?

Answer: If confirmed, I will work with the U.S. Fish and Wildlife Service to ensure that the Service works cooperatively with EPA and other federal agencies on ESA-compliant reviews of pesticides under the Federal Insecticide, Fungicide & Rodenticide Act. I will ensure that Senate Environment and Public Works Committee Members are kept apprised of the interagency efforts related to these reviews.

Assistant Secretary-Designate Strickland

Senator Voinovich

19. Many of our nation's key watersheds such as the Great Lakes, Chesapeake Bay, Prairie Potholes, Mississippi River Valley, and the Everglades are experiencing problems with water quality, invasive species, loss of habitat and other issues that are negatively impacting fish and wildlife resources. These problems are negatively impacting and reducing the public's recreational opportunities such as hunting, fishing and bird watching. What are some key actions or programs would you promote to ensure these key watersheds remain healthy for fish, wildlife and the general public?

Answer: Degradation of water quality, spread of invasive species, loss of habitat, and other threats have placed many of our Nation's key watersheds at risk and have negatively impacted fish and wildlife resources and available public recreational opportunities. If confirmed, I will work with all the relevant bureaus in the Department of the Interior to strategically address this range of impacts on our watersheds. The Department will engage the states, tribes and other partners in our efforts to address this important issue.

Assistant Secretary-Designate Strickland

Senator Voinovich

20. When will the U.S. Fish and Wildlife Service (Service) be able to meet the targets of the lake trout restoration plans in the upper Great Lakes?

Answer: I am informed that the U.S. Fish and Wildlife Service's National Fish Hatchery System and the Great Lakes Fishery agencies have worked for decades to restore lake trout, a native keystone species. The Service has achieved a self-sustaining population of lake trout in Lake Superior, but restoration efforts in the other Great Lakes have been less successful to date. If confirmed, I will work with the Service to ensure continued cooperation with states, tribes, and the Canadian government to manage for effective sea lamprey control and maximum production of lake trout with the goal of restoring self-sustaining stocks in the Great Lakes.

Assistant Secretary-Designate Strickland

Senator Voinovich

21. Why has it taken so long for the USFWS to complete needed rehabilitation to the Allegheny National Fish Hatchery, in light of clear and pressing needs for fish to be produced there, as the lynchpin for the rehabilitation of the Lake Erie fisheries?

Answer: I am informed that the Allegheny National Fish Hatchery has been critical in providing lake trout for restoration in Lake Erie, but because of a disease outbreak in 2005 the station was depopulated. Lake trout for Lake Erie are being reared temporarily at the White River National Fish Hatchery in Vermont. If confirmed, I will work with the U.S. Fish and Wildlife Service to understand the needs of the National Fish Hatchery System, including those of the Allegheny National Fish Hatchery.

Assistant Secretary-Designate Strickland

Senator Voinovich

22. The Great Lakes Mass Marking Initiative promises to improve significantly the operations of fish hatcheries that produce steelhead and other salmon and trout species important to Lake Erie. Moreover, this initiative is designed to provide fishery managers with the understanding they need to make the informed fishery management decisions that underpin the outstanding steelhead fishery in Lake Erie. Do you intend to request funds in the FY 2010 budget for both capital and operations for the Great Lakes Mass Marking Initiative? Congress is in the process of funding this important regional project, but concern exists that the USFWS, which supports the initiative and understands the role of the initiative in fishery restoration, is not accounting for needed operations.

Answer: I recognize the importance of the Great Lakes and the fishery resources that are a vital part of the economic sustainability of the Great Lakes region. The U.S. Fish and Wildlife Service's fishery program is an important partner with the Great Lakes Commission and others in the restoration of these fisheries. If confirmed, I will look into the funding needs for the Great Lakes Mass Marking Initiative.

Deputy Secretary - Designate Strickland

Senator Voinovich

23. Question: Many authorities exist that promote the restoration of Lake Erie. The Great Lakes Fish and Wildlife Restoration Act is the Department of Interior's most prominent Great Lakes restoration authority. However, over the years, the USFWS has been criticized for not requesting the resources needed to fund restoration projects. In fact, fiscal 2009 was the first and only year to date that the federal budget included funds for projects under the act, and even that amount -- \$575,000, compared to an authorization of \$16 million -- was barely enough to make a small dent in achieving restoration goals. Do you intend to ensure the success of this important initiative by requesting increased funds for the Great Lakes Fish and Wildlife Restoration Act in federal budgets?

Answer: The Great Lakes Fish and Wildlife Restoration Act provides important authorities to improve habitat conditions in and around the Great Lakes. The Act has improved the Department's cooperative efforts in the region, bringing new partners into the conservation community. If confirmed, I will examine the future funding needs for the Great Lakes Basin.

Assistant Secretary-Designate Strickland

Senator Voinovich

24. During the past several decades, as a governor and Senator, I have worked to improve the health and quality of Lake Erie. We have made great strides in improving the quality of water, improving and protecting habitat, controlling the invasive sea lamprey, and restoring the fishery. What plans does the Department of Interior have to build upon these past successes and ensure the health of Lake Erie continues to improve?

Answer: I know that the Great Lakes are not only important fish and wildlife habitat, but are also important culturally and economically for the states that border them. The Department and its bureaus are involved in many activities in the Great Lakes, including managing parks and wildlife refuges, carrying out scientific research, addressing invasive species, and implementing restoration activities. If confirmed, I will ensure that the Department's relevant programs are reviewed to address the range of priority issues that all the Great Lakes face. I will also ensure that the Department continues to cooperate with states, tribes, and the Canadian government to improve the health and quality of the lakes.

Assistant Secretary-Designate Strickland

Senator Bond

25. Should you be confirmed, do you agree to take a fresh look at the science, the risks, the benefits of the spring rise on the Missouri River and work to balance the needs of the endangered species while not endangering human lives and livelihoods in the lower basin?

Answer: While I am not familiar with the Missouri River Biological Opinion and the science associated with it, if confirmed I will use the authorities available to me under the ESA to ensure that the needs of local communities are considered as we carry out our consultation responsibilities under the ESA.

Senator BOXER. Thank you so much, Mr. Strickland. We all support that. We have been in the minority and we know how it feels, and they need to have the same respect as everybody else. So I definitely support that, and I thank you for saying that.

Senator Udall.

Senator UDALL. Thank you, Madam Chair.

Let me just say that our Chairwoman has been an incredible leader on these issues, and I very much appreciate her giving a lot of attention this morning to your nomination, Mr. Strickland.

The first thing that I wanted to ask you about has to do with the two positions, because you know, as we talked yesterday in my office, this Assistant Secretary for Fish and Wildlife, 44 percent, tell me if I am wrong, but we are talking 44 percent of the Department of Interior is under your Assistant Secretary position. And this is roughly 30,395 employees.

So that is a huge job, that in itself. And let me say at the beginning from what Mark Udall and Senator Bennet had to say, I mean, you have incredible credentials and I know that you are a Herculean-type person, and I can tell with your wife smiling behind you that she believes that, too.

But these are two full-time jobs, Chief of Staff and being the Assistant Secretary. So my hope, in a way, is that, and I know you have the enormous trust of the Secretary Ken Salazar, my hope is that you will be able to assume the Assistant Secretary position, get him, the Secretary, in a comfort level with somebody at some point down the line that can take over that, because they are two very, very important positions. I just think it is difficult to do both of those.

I know that you can do them for a significant period of time, but that is my hope is that we, because there is so much that needs to be done. And really, that is my first question, and then I would like you to also talk about the issue of how you see consensus-building in dealing with these environmental issues that are before you, both in Parks and in Fish and Wildlife and endangered species. But do you believe you would be able to give sufficient time and leadership to both the Parks and Fish and Wildlife Service, as well as Secretary Salazar and the entire Department of Interior? Can you describe to the Committee how you will manage both of these positions at once? Please.

Mr. STRICKLAND. Thank you, Senator.

If I could just, before I respond to that, Madam Chairman, I haven't been sworn in and I just want to make sure that as I go forward that—

Senator BOXER. We don't need to swear you in.

Mr. STRICKLAND. That is fine on that basis.

Senator BOXER. This isn't the inauguration where you have to. [Laughter.]

Mr. STRICKLAND. Thank you.

Senator BOXER. You are fine. What we do have to do is ask you a couple of questions for the record before it ends, but you are in good shape.

Mr. STRICKLAND. Very good. Very good.

Senator UDALL. You can also see he is a fine lawyer and trying to give us a little advice here.

Senator BOXER. I think, absolutely, absolutely.

[Laughter.]

Mr. STRICKLAND. Well, Chief Justice Roberts is a former law partner of mine.

Senator BOXER. Oh, is that right?

Senator KLOBUCHAR. Did you advise him on the word faithfully?

[Laughter.]

Mr. STRICKLAND. I won't claim any responsibility for that.

Senator, first of all I want to say that it is an honor to be considered for a position at the Department of Interior and to be in the same room with the son of one of the greatest Secretaries of Interior of all time, Stewart Udall. I have to pay homage to your father's tremendous legacy. The Department will always reflect his stewardship, so I just want to acknowledge that. And certainly I want to acknowledge your uncle as well, Mark's father, and his contributions. It is a privilege to know your father and to have known Mark's.

With respect to your question relative to the fact that Senator Salazar has asked me to be both the Chief of Staff and the Assistant Secretary, let me speak to that. First of all, that is what he asked me to do, and he is pretty persuasive. I have been in the role of Chief of Staff since January 21, so I have been helping the Senator as the transition has been undertaken and as we have tried to recruit and get the team through the confirmation process.

I will commit to this Committee, as I did to the Energy and Natural Resources Committee, that my first priority will be the responsibilities of this Assistant Secretary position. We are staffing the personal operation of the Secretary with that in mind. I have a very strong Deputy Chief of Staff, Renee Stone. She literally is a Rhodes Scholar and she is going to take most of the responsibilities of the Chief of Staff day to day.

I will have an office down on the third floor with Fish and Wildlife and the Parks Department. If there is any conflict, then I will make further adjustments. But my primary focus will be on the responsibilities for the position that I am in front of you all here today to discuss.

With respect to the second part of your question and the role of consensus in resolving these issues, I completely agree with you. I believe in particular that the Endangered Species Act has many vehicles for partnerships to accomplish the goals of preserving habitat and endangered species. And those partnership situations, whether they are habitat conservation plans or other kinds of similar undertakings, are central to the success that we want to have going forward.

I believe I have experience at that. Following the Columbine tragedy in Colorado, we embarked on an effort as U.S. Attorney to strengthen the enforcement of the gun laws. I think for the first and only time, at least up to that point, we got Wayne LaPierre and James Brady together on the same stage at the same time to join in tougher enforcement of gun laws in Colorado.

So we appreciated at that time the importance of bringing disparate interests together. I wish I could say that particular partnership had continued, but in any event I think it is central to this task and I will commit to you that I will do my best to further that.

Senator UDALL. Thank you for those answers. Thank you.

Senator BOXER. Senator Carper has very sweetly yielded to Senator Lautenberg for a couple of minutes.

**OPENING STATEMENT OF HON. FRANK R. LAUTENBERG,
U.S. SENATOR FROM THE STATE OF NEW JERSEY**

Senator LAUTENBERG. I will be brief, and say hello, Tom. We have known each other for some time. Tom Strickland called me 1 day shortly after I wrote a law that bans gun permits for spousal abusers. And Tom Strickland called me up and said, Frank, I got a conviction there. This guy is going to get 3 years for violation of, correct me if I am wrong, but be careful.

And we have had a lot of contact. And one thing I know, and my friend Mark Udall has responsibility for two beautiful grandchildren, my son and daughter-in-law who live in Colorado, and we are tree huggers and nature lovers. Call it what you will. I know that we share the same view on our responsibility to nature and our responsibility to the environment.

Madam Chairman, I have a longer statement which I will not read out of gratitude for the forbearance of my colleague from Delaware, and some questions. One, that we are very excited in New Jersey now. I look out at the mountains of New Jersey, well, hills of New Jersey. Our mountains, the highest mountain in New Jersey is 800 feet. It is really devilish getting up there, but we have now in New Jersey just been awarded historic protection to an area called the Passaic Falls. It is the city I grew up in, Paterson, New Jersey, an industrial town, abused by industry. Factories used the river as a way to discharge effluent.

And we are all so proud of that. And Mr. Assistant Chief of Staff, I hope that you will be able to join us. The bill was passed last week, and the measure would designate 35 acres of the Paterson Great Falls Historic District as a National Historic Park. President Obama is expected to sign the bill into law early next week.

I hope that you will come and visit us in Paterson to welcome our newest National Historic Park. As an addendum, Alexander Hamilton began his influence on the industrial revolution in Paterson, and we still see raceways that funnel the water to factories and provided the energy and power, and we welcome you and Beth Strickland to this assignment. And I know very well that you will handle it well.

As a managing partner who was able to keep our good friend at that time in order, no names because he runs a very significant law firm, and you were a partner there as well. So I know that you can handle very difficult assignments.

Thank you very much, and thank you to Senator Carper.

Senator BOXER. Thank you.

Senator Carper.

Mr. STRICKLAND. Thank you, Senator. And I will look forward to visiting that new park and we are very excited about it.

Senator CARPER. Well, that is a great segue into my question. Again, welcome to you and to your wife. Nice to see you.

Let me just say to her, thank you very much for your willingness to share this guy with us in this way.

The President came and spoke with us, by the way, at our caucus and talked about his budget. In responding to him, I suggested some ways we could save money. It is easy to come up with the ways to spend money. Actually, I think in his budget it makes very wise investments, for the most part. But the idea of you serving as Chief of Staff and as the Assistant Secretary in this post, that is a good way to save money. I hadn't thought of that.

We have Senator Amy Klobuchar over here, who is doing yeoman's labor. She is like the only Senator from Minnesota, and she is doing the work of two Senators. I asked Harry Reid, our leader—

Senator KLOBUCHAR. Well, compared to Delaware, a woman can always do the work of two men.

[Laughter.]

Senator BOXER. And two women in California, with 37 million people—

Senator KLOBUCHAR. Oh, here we go.

Senator BOXER [continuing]. Can do the work of several men.

Senator KLOBUCHAR. I should have let it go.

Senator CARPER. I yield back my time.

Senator BOXER. But we will strike that off the record.

[Laughter.]

Senator BOXER. We are going to give you as a result of having to put up with Amy and me an extra 2 minutes.

[Laughter.]

Senator CARPER. I was the only Senator for Delaware for 5 days after Joe Biden stepped down. And I said to Harry Reid, our leader, I said, you know, Harry, I am doing the work of two people here. Do you think I could for 5 days get paid for both of us? And he said, you're lucky to get one paycheck. So I am taking abuse from all sides.

Earlier in your comments, you quoted Wallace Stegner who once described national parks as America's best idea. I don't know that it is the best idea, but it is certainly a great idea. My family and I have been privileged to visit national parks in many places around the Country. In fact, my boys are now in college. One of them was actually here yesterday. He spent the day shadowing me. He is on spring break, which is great fun.

And I remember we were thinking of taking a trip maybe to go to Alaska several summers ago, maybe four or five summers ago. And we got on the Internet, the National Park Service Web site, and we just decided to see what kind of national parks were available for us to visit. And there are wonderful national parks in Alaska, bigger than the whole State of Delaware, as it turns out. And we ended up going and spending 7, 9, 9, 10 days there. We had a great time.

But as we went through the National Park Web site to look at the different offerings, we found that there are 49 States that had national parks to visit, and one State, ironically, did not. And it is a State where, I think, America's best idea, which I think is our Constitution, was first adopted. And for a whole week or so, Delaware was the entire United States of America. We were the first State to ratify the Constitution. And we have done a whole lot of

other things as well that we think are deserving of recognition and of a national park, but we have never gotten one.

Dirk Kempthorne, who was Ken Salazar's predecessor, he and his staff were very good to work with us to address that. And we got authorization passed to do a study, funding for a study. That has been completed. The study was presented late last year by some very fine people who work at the National Park Service in recommending a national park in Delaware, with a little different kind of approach, but one that celebrates our national heritage.

And one of Dirk Kempthorne's, one of his hopes was that before he finished, left as Secretary, they could wrap it up and finish. We still need to pass authorizing legislation through the Congress and my hope is we will be able to do that and to move forward.

I just want to bring this to your attention. Our friend Ken Burns, the famous film maker who lives in New England now, actually grew up in Delaware. And one of his latest creations, as you probably know, I think it is called America's Best Idea, The National Park. And he and I have shared notes before about how ironic it is that the State that helped start his Country is the last State to actually be eligible for a park.

I just want to put all that at your doorstep today and just ask for your thoughts.

Mr. STRICKLAND. Well, thank you, Senator. I have had a chance to meet with Ken Burns, in fact, and the Secretary has, and we look forward to the opportunities of sharing his great craftsmanship with the American people. I think it is going to create an unprecedented additional level of support for the park system as that rolls out this fall. I will commit to work closely with you and I am sure the Secretary will as well, to remedy the fact that there is one State that doesn't have a national park. And so I will make that commitment here today and look forward to working with you to that end.

Senator CARPER. Good. I appreciate that commitment, and we will look forward to working with you and this Administration, much as we did the last.

The other thing that Secretary Salazar was good to say, I spoke with him about this issue a couple of months ago and he was aware of it even as a Senator. And he said to me, if you think that Dirk Kempthorne was supportive of your initiative, you have not seen anything yet. So I appreciate the commitment from both of you.

And Madam Chair, I have a statement for the record. And with that, I will bid you adieu and wish you good luck.

Thank you.

[The referenced material was not received at time of print.]

Mr. STRICKLAND. Thank you, Senator.

Senator BOXER. Thank you, Senator.

Senator KLOBUCHAR.

Senator KLOBUCHAR. Thank you very much, Madam Chairman.

And I want to congratulate you, first of all, for holding this hearing so quickly, and also to the Administration, the President, for despite all the big challenges going on, is working tirelessly to fill as many seats in government as there are in a hockey arena, a col-

lege hockey arena. That is a Minnesota analogy. It is true. We just figured that out.

I also want to welcome my friend, Tom Strickland, who I know was the U.S. Attorney. I knew him then, as he worked in Minnesota, so he knows our State well. Thank you so much.

I just see this as such an opportunity for Secretary Salazar and you, with our shared views that, first of all, we shouldn't be operating in an evidence-free zone when it comes to the protection of our natural resources.

Second, we have an opportunity, and I know both you and Secretary Salazar believes this, to have our environmental work go hand in hand with our work in the energy area to promote home-grown energy and others.

So I just had a few questions. The first is really about our national parks. I can tell you I know the stimulus package included some money. As you probably know, we have the Boundary Waters Canoe Wilderness Area as well as Voyageurs National Park in Minnesota, that are really very close to where my dad grew up and my relatives in northern Minnesota.

And I know that there is \$750 million in there for the National Park Service, and some of the funds are scheduled to go to deferred maintenance and critical repairs, and a large chunk of the funds, \$589 million, is slated for replacing facilities and cleaning up mine sites.

I just wondered if you could talk a little bit about your priorities for that stimulus money.

Mr. STRICKLAND. Thank you, Senator Klobuchar, and thank you for your welcoming remarks.

We are in the process right now of working with OMB to refine a list of projects for the \$750 million that has been directed by the Congress to the national park system. And there were parameters, as you articulated, set forth. In addition, Secretary Salazar has challenged the services and bureaus of the Department that are getting dollars to have their projects also reflect an emphasis on renewable energy, on promoting what he called the "treasured landscapes and special places in America," as well as promoting youth programs.

So those are some additional areas of emphasis that we are trying to accommodate as we go through the list of potential projects. We have what has been estimated to be a \$9 billion backlog of deferred maintenance in the park system. So while \$750 million sounds like a lot and is a lot, in the context of the needs we have many more deserving projects than we have immediately available dollars.

So of course the driving urgency of the program is to have shovel-ready projects that create jobs that can help alleviate the economic suffering that is so strongly felt throughout the Country. So we are trying to accommodate all of those considerations.

We don't have a list to share yet, but we will shortly, and we are literally in what we hope will be the final stages of review with OMB, and I think that they are going to show wide geographic diversity and honor these priorities.

So I will be happy to work with you. We are going to post all of that on the Internet and we will be making announcements as we get the final sign-off from OMB.

Senator KLOBUCHAR. Thank you.

The national parks have always been a part of my family's history, as they were of yours. Actually, as I was sitting here, I realized every family vacation we ever took involved a State park or a national park. My sister hiked up Harney Peak in South Dakota when she was still in diapers. We spent many times in Yellowstone and the Grand Tetons, and we have, as I mentioned, parks in Minnesota.

Could you talk a little bit of how you, which is a big issue in our State, how you balance the multiple uses of parks, whether it is some grandfathered-in trails or things like that? We have had, of course, as you know, battles over the Boundary Waters in our State's history. And as Jim Oberstar declared, the 100-year fight over the Boundary Waters has finally ended, and we have been able to work that. But could you talk a little bit about multiple uses in parks?

Mr. STRICKLAND. I would be happy to, Senator.

It is a central premise of our public lands to honor the concept of multiple use and this omnibus lands bill reflects I think the values that we bring to our management of our public lands. Now, some lands are deemed to be so fragile and special that we should have a minimum of human activity. And of course, those are wilderness designated areas. At the other end of the continuum, you have lands that are actively developed for coal mining or other kinds of intensive development.

Along that continuum, it is often a balancing act. And with respect to our national parks, we have a wide range of requests that come in all the time for hunting activities. In Yellowstone, for another example, the level and use of snowmobiles has been an ongoing issue of conversation and litigation, for that matter. Right now, we are in Yellowstone in the middle of dueling Federal courts, one in DC and one in Wyoming, that are directing us to do different things.

So I think our basic philosophy as we sort through those decisions will be to honor the values that are central to the mission of the park. And so while in some parks you can have more intensive activity in certain areas, other parts of the parks, as designated, for example parts of Rocky Mountain Park are now designated as wilderness as a result of the bill that the Congress just passed and the President is expected to sign on Monday.

So the level of activity in those places will be, in terms of motorized vehicles, et cetera, will be very different than if they hadn't gotten that designation. So I think what we need to do is we need to look at these things on a case by case basis, but recognize that certain activities are going to impinge on other people's enjoyment, and so we need to be able to have some of the core missions of these parks honored as a place of respite and a place for wildlife to be able to live harmoniously.

Senator KLOBUCHAR. Madam Chair, could I ask one more question?

Senator BOXER. Yes.

Senator KLOBUCHAR. OK.

In Minnesota, we love our fishing. I think I have the statistic once of how many tens of millions of dollars we spend every year on worms. It is really quite impressive to show how it contributes to our economy. But one of the things that has concerned us about Lake Superior and some of our lakes is just the danger of invasive species.

My staff actually told me that Senator Nelson of Florida is trying to wrangle you to go down to Florida to have an 18-foot Burmese python wrapped around you and Secretary Salazar. I actually have seen these pythons. I will tell you it is disturbing that they suddenly landed in the middle of the Everglades.

But we also have some issues with invasive species in Minnesota, particularly the Asian carp. I don't know if you know about this issue. We have actually got some funding for dams and there is a YouTube video I suggest you look at that shows that these huge Asian carp jumping out of the water and hitting fishermen on the head. I am not kidding.

And so we are very concerned about these issues of invasive species. One, I want to extend to you and invitation to get hit over the head by an Asian carp. And then second, I just wondered about your general view of invasive species and what role the Department could have with regard to those.

Mr. STRICKLAND. Well, thank you. I would be happy to come visit the carp as well. And Senator Nelson has invited us to come down and see the Burmese pythons, which I think do grow to that size.

Senator KLOBUCHAR. It scared my daughter, so it is worth seeing.

[Laughter.]

Mr. STRICKLAND. We have this issue in many places, and we have it not only with respect to plants, but with fish and other animal and reptile species as well. And it is a serious problem. And the Department of Agriculture also has funding to assist. And so what we are trying to do is identify the highest priority areas and try to address those.

I know that the Asian carp is high on our list. In fact, it had been brought to my attention before this briefing. In the Grand Canyon, we have invasive species of plants. We have that, I know in California we have some of the same issues.

So I think it is something that has not gotten as much attention as it should of, and we will commit that we will give it more attention. And to the extent that we have adequate funding, we will do our best to address the problem.

Senator KLOBUCHAR. Thank you very much.

Senator BOXER. Thank you, Senator Klobuchar.

I am going to do my job here, and then I am going to hand the gavel over to Senator Cardin and he will run the rest of the hearing and close it down.

I am going to send you a couple of things to look at. There was an article February 27, 2007 in the L.A. Times, Mighty Lean Times For Wildlife Refuges. And it goes through the fact that the budget for these were just starved, and we have all these problems. You were supposed to build visitors centers and didn't do it.

One of the arguments I always make about preservation of our environment in California is that it is good for the economy. We have asked various firms to let us know about this, with the 700,000 acres of wilderness designation that just appeared, that just make it into this wonderful lands bill; 400 permanent jobs and millions of dollars in income to our State.

So when we fail to maintain and protect these areas, we pay a price. At the end of the day, people aren't going to come. So here, we have over 40 refuges in our State, and I am going to send you, well, I am going to send it over to you, not that you need it. It is on your Web site, but I am going to send it over to you. Also a map.

You know, California is just dotted with these places, these wonderful glorious places. So I am going to send this over to you, as well as this article.

So there was very little money, then, to hire a second full-time law enforcement officer, for example, in the San Luis National Wildlife Refuge complex, because we really need to ensure that people aren't misusing these refuges. So I am going to hope that, you are going to know this, but I am going to ask you for the record, as you sit around these meetings with your superiors, I hope you are going to be a real stalwart for arguing.

It is not always funding. Sometimes it is just you could shift some funding. You could make some of these changes, but I am going to assume that you are going to fight hard so that you can do this job right. You are going to tell honestly what you need to do it right. If you don't, if you can't, if we can't give it to you, that is another story.

But I guess my question is, will you be an advocate for what you are supposed to be looking after?

Mr. STRICKLAND. Thank you, Chairman.

I can assure you that I, along with Secretary Salazar, take the point that you make very seriously. We have refuges in all 50 States. We have about 93 million acres of wildlife refuges. They are under enormous pressure from global climate change in many cases, and population encroachment. We have just embarked, I think, just in the last months of the previous Administration, in the first assessment of the impact of climate change on our wildlife refuges to see if we have to make adjustments to the boundaries or if we have to set aside other lands, or how to manage the ones that we have.

So we have multiple considerations that make your point that much more important for our consideration. And as we are looking at the stimulus moneys, we also recognize that 40 million people visit our wildlife refuges annually, so they are an important source of economic activity and enjoyment for the public.

So we will commit to work with you and your Committee and others to identify what the needs are and to try and spend the dollars as wisely as possible, and to make sure that we are addressing the challenges that population growth and climate change are putting on our wildlife refuges.

Senator BOXER. Well, that is very important, because I have always believed that when you take a job like this, you need to be an advocate for it. And I have found under some Administrations we didn't have that. And all I ask is for the truth. You know, in

order to do this job right, what is it you need? If we don't give it to you, that is our problem, but I need to know that you are going to tell us the truth, and I have that great sense that you will.

I also think, I am glad you raised the stimulus issue because those moneys really should be used for those one-time, neglected improvements that we need to make, rather than the ongoing. The ongoing we have to do in our budget. So I hope you will oversee that because that is a great opportunity.

Let me do my little business here that I have to do so that we can get your nomination moving along.

In order for the Committee and other committees to exercise their legislative and oversight responsibilities, it is important that committees of Congress are able to receive testimony, briefings and other information.

So first of all, do you agree, if confirmed, to appear before this Committee or designated Members of this Committee and other appropriate committees of the Congress and provide information subject to appropriate and necessary security protection with respect to your responsibilities as Assistant Secretary?

Mr. STRICKLAND. I do agree.

Senator BOXER. Do you agree to ensure that testimony, briefings, documents, and electronic and other forms of communication of information are provided to this Committee and its staff and other appropriate committees in a timely manner?

Mr. STRICKLAND. I do agree.

Senator BOXER. And three, do you know of any matters which you may or may not have disclosed that might place you in any conflict of interest if you are confirmed as Assistant Secretary?

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

Senator BOXER. Excellent. And we are going to ask our Members to submit questions by tomorrow morning, with responses due Monday. So I am assuming that you will do whatever you have to do to get those responses in because what we want to do is mark up your nomination as early as next week. And if we miss that deadline, then we have to wait until after the recess.

So are you willing to do what it takes to answer these questions?

Mr. STRICKLAND. Absolutely.

Senator BOXER. That is right. It could be a late night Sunday, but I know your wife is saying, he will do it.

[Laughter.]

Senator BOXER. Well, I am just thrilled with this nomination, obviously. And I am happy to turn the gavel over to my friend Ben Cardin, who by the way has a very important responsibility. He is overseeing all of the water issues. And you and he will have a lot of work to do. He is a passionate defender of wildlife and of the environment. And I am so proud of my Subcommittee Chairs and give them a lot of responsibility.

So I think it is appropriate, Ben, that you take as much time as you need and close out the hearing.

Senator CARDIN [presiding]. Well, thank you, Madam Chair, and I appreciate your leadership on this issue.

Mr. Strickland, thank you for your willingness to serve the public in this very, very important position. I want to thank your family for the sacrifices that you will be making.

I enjoyed our conversation yesterday, or the day before, where we had a chance to talk a little bit about your commitment to our environment. I hope that this new assignment will not prevent you from getting out and enjoying the wilderness of America because it is a great Country, and your position will have a critical role in preserving that for the future.

I do want to ask you about policy guidance and the use of best information, science information in making judgments, particularly as it relates to the Endangered Species Act.

I think most people agree that the Endangered Species Act is one of the most important safeguards that was enacted by Congress in order to preserve diversity in our wildlife, and that decisions should be based upon good science, good information, and should not be based upon political considerations.

And yet a recent IG investigation pointed out that political interference did affect the Endangered Species Act implementation by the Department of Interior. And that there was at least some ambiguity as to how the Department should enforce the law because of the political guidance given by the previous Administration.

Are you committed to giving the agency staff clear policy guidance on the implementation of the Endangered Species Act, which will be based upon the best science information we have to make sure that we carry out that important law?

Mr. STRICKLAND. Well, Senator, absolutely. I can say this on my behalf and on behalf of Secretary Salazar. One of the reasons I think he asked me to join him in this job is that as a former Federal prosecutor, he asked me to come in and help him address some of the historic issues that plague the Department with respect to the issue that you mentioned in Fish and Wildlife, and some management issues at the Mineral Management Service.

One of the very first things that the now-Secretary did was to go with me out to Colorado to MMS to meet with every employee there to address these ethics and integrity issues. We have sent the message throughout the Department that the rule of law will apply and that policy decisions will be based on science and on the appropriate considerations, and not politics or special interests.

Senator CARDIN. Well, I thank you for that commitment. I was pleased to see the President make a similar commitment. It was in a different context. We were there dealing with research. But he made a similar declaration, actually signed an executive order that the guidance would be based upon the best science, and not political considerations, which clearly has been the tradition within the Department of Interior and also within the other departments of government, but was compromised, I think, in recent years.

So we are very concerned about making sure the consultation process that was envisioned in law to get the best possible information-based decisions becomes the policy of the Department of Interior, particularly as it relates to the Endangered Species Act.

Let me move on to a second issue that we talked about, and that is the concerns on our refuge, our wildlife refuge, and what is happening particularly as it relates in Maryland to the Blackwater. The Blackwater National Wildlife Refuge is a valuable area of our State for diversity. We are currently losing about 150 acres a year because of sea level change. We believe it is a result of global climate change. We are in danger of losing the local habitat for the Baltimore orioles. I don't know what that means as far as our State is concerned, but I think it reflects the consequences of not dealing with global climate change.

In the 2009 omnibus appropriations bill, language directed the Secretary of Interior to develop a national strategy to assist wildlife and the ecosystems across our Nation from the adverse impact of global climate change.

Can you just share with us your thoughts as to how you would go about advising the Secretary in complying with that provision in the omnibus appropriation bill?

Mr. STRICKLAND. Well, thank you, Senator.

We do have a special challenge, as I alluded to a few minutes ago, in trying to protect the role played by our wildlife refuges for the next century. Those that set refuges aside many, many years ago had vision, and the system has been in place for many, many years. We have to match that now in the time when we are seeing these pressures.

So we have a lot of good scientists at the Department. We have 8,700 at USGS. We have a lot of fine biologists and scientists at Fish and Wildlife. What we are going to do is fast track a baseline analysis throughout the Country of the changes that are impacting the refuge in your State that you just mentioned, and others, and determine what remedial actions we need to take, and they will be different in different places.

Some places we may acquire additional lands. Other places, we may do habitat restoration. So we are going to do it on an accelerated basis and we are going to do it with a sense of urgency and mission because we understand that these species, if their habitat is no longer available, will be pressured and we could lose them. So it is a very important part of our role.

Senator CARDIN. Let me just stress, I think there are several parts to this concern. We certainly want to look at remedial action, what we can do to save diversity and species in America. Each State has its own challenges. In Maryland and our region, the Chesapeake Bay is a huge challenge. We are seeing patterns dealing with the future of the blue crab that concerns us.

We know that global climate change has produced a sea level change, but also a warming of the water which affects how our sea grasses can survive, which affects where juvenile crabs can hide. And if they can't hide, they can't survive. And the crops are getting smaller and smaller, which is affecting diversity in the whole food chain in Maryland. And I think every Senator could tell you another story about what is happening in their own States as far as fish and wildlife is concerned.

So part of our concern about the dangers of global climate change is how do we have remedial programs to preserve diversity and to

preserve our economy and our way of life. But the other is so we can take action to prevent this type of damage.

One of the problems we have is that many Americans have yet to really understand the day to day risks associated with global climate change. And the more information we can get available to them, and I think you can play a role here, we can work and develop policies based upon facts. And that is what we are trying to do. We are trying to use good science and facts to say what can we do to change the future direction of our environment for the better, and what can we do to try to fix the damage we have already done.

That is certainly our challenge in the Chesapeake Bay. In the Chesapeake Bay, we have taken steps to try to correct a lot of the problems in the bay, but we also want to prevent the future decay as a result of matters that we can control, whether it is global climate change or whether it is pollution issues or whether it is farming practices or whether it is runoff issues. All of that will have an impact on preserving the diversity of fish and wildlife in our region.

So I would hope that the strategy that you come out with within the Department of Interior will be mindful that you can play a dual role in educating the public to take action to help the future, as well as remedial programs that are our best chance to preserve our way of life and our future for diversity of wildlife and fish in the United States.

Mr. STRICKLAND. Well, thank you, Senator. I think it is fair to say that the Department has been behind the curve on this, and we have some catching up to do. We need to bring a sense of urgency, because you said it very well. The challenge is there.

Senator CARDIN. And let me just concur with Senator Boxer's comments. We are so pleased that you willing to take on this responsibility. I certainly hope that the Committee can complete its review quickly and that your nomination can go to the floor for action so that our colleague, our former colleague can have a little bit of help in the Department. I know it gets lonely there without having confirmed positions. So we hope we will be able to give him a confirmed position and be able to move quickly on your nomination.

And with that, our Committee will stand adjourned.

Thank you very much.

Mr. STRICKLAND. Thank you, Senator.

[Whereupon, at 11 a.m., the committee was adjourned.]

[Additional statements submitted for the record follow:]

STATEMENT OF HON. BENJAMIN L. CARDIN, U.S. SENATOR
FROM THE STATE OF MARYLAND

Madam Chairman, thank you for holding this hearing.

Today we will hear from Tom Strickland, nominated for Assistant Secretary for Fish and Wildlife and Parks at the Department of Interior.

The nominee has extensive, relevant, on-the-job experience, and has made major contributions in his area of expertise. Unfortunately, he will face some daunting challenges. During the last Administration, decisions made in the Department of the Interior ignored the role of science with frightening regularity. The nominee is charged with restoring the role good science must play in making good public policy. The Department of Interior has world-class scientists as part of its workforce. The challenge for Mr. Strickland will be to reinvigorate that scientific expertise and re-empower these scientists. Secretary Salazar, as well as the President himself, has promised to return scientific integrity to government. I will be listening closely for a similar pledge from you today.

The first front for restoring the role of science will be addressing the problems associated with the Endangered Species Act. The highly politicized way in which this critical statute was handled during the last Administration has left a legacy of poor decisions, discarded science, and policies that are being challenged successfully in our courts.

We need your full attention focused on restoring the integrity of the ESA process.

In addition, our National Wildlife Refuges and National Parks are all in a state of serious disrepair. The backlog of deferred maintenance is overwhelming.

The American Recovery and Reinvestment Act provided substantial resources to the Department of Interior to address some of those issues in both our refuges and our parks. But that is just the beginning. We will be looking to you for long-term investment plans that will restore these jewels of our public lands to their full glory.

We will also be looking to you for how best to manage many of the impacts of global climate change. The Fish and Wildlife Service will be in the forefront of national efforts to address new land management issues as well as the adaptation needs of our wildlife brought about by the impacts of climate change.

As I mentioned to you when we visited in my office earlier this week, you will find few better examples of the impacts of climate change than in the Blackwater National Wildlife Refuge on Maryland's Eastern Shore. I encourage you to come to Blackwater with me to see firsthand the impacts of climate change and to discuss ways in which we can creatively address these land management and adaptation issues.

Madam Chairman, I think Mr. Strickland is highly qualified and I hope that he will receive broad, bi-partisan support from this Committee and the entire Senate. President Obama needs to get his team into place, and I hope we will act quickly to get Mr. Strickland confirmed and to work for the American people.

STATEMENT OF HON. CHRISTOPHER S. BOND, U.S. SENATOR
FROM THE STATE OF MISSOURI

Every year, Missouri farmers understand that we will have spring rains, which may damage or break levees.

And yet every year Missourians have to beg the Fish and Wildlife Service and the Corps of Engineers to prevent further flooding with a man-made spring rise, which they call a "pulse."

This entire battle which puts human lives and farmland at risk is all done in the name of a fish. The Pallid Sturgeon. Even though some reports show that a spring rise has no impact on mating habits, we continue to have this debate.

The spring rise has been strongly opposed by Missouri DNR under four separate Governors of both parties. Democrats and Republicans have all concluded that the value of this is experiment is dubious and risks are real.

I have been fighting the man-made spring rise for years and for years know from experience that you cannot anticipate the amount of waterfall from the time the water is released at Gavin's Point dam until approximately 10 days later when it reaches Jefferson City, Missouri.

To add insult to injury, each year we find that many of our land owners are still waiting for the levees to be repaired from the last year's flood events. This is simply unacceptable.

It would be great of the Fish and Wildlife Service to be out monitoring the impacts of the natural rises that occur each year and the impacts that these natural "pulses" have on the mating habits of this fish. Otherwise, we will never know if this man-induced flood is needed. I hope you will consider this monitoring in the future. Our river should not be used as a grand scale science experiment.

